

SOUTHEAST
FEDERAL SUBSISTENCE REGIONAL
ADVISORY COUNCIL

Taken at:
Alaska Native Brotherhood Hall
Yakutat, Alaska

October 19, 2001

ATTENDANCE

Council Members Present:

William C. Bill Thomas, Chair
Bert Adams
Floyd Kookesh
Richard "Dick" Stokes
Mary Rudolph
Patricia Phillips
Michael A. Douville
Marilyn R. Wilson
John Littlefield
Harold Martin
Dolly Garza

Coordinator:

Fred P. Clark

Others Present:

Dan LaPlant, US FWS; Scott Kelley, ADF&G;
David Johnson, Tongass NF; Ida Hildebrand,
BIA; Rachel Mason, NPS; Jim Capra, NPS;
Sandy Scotton, NPS; Eric Veach, NPS; Mike
Jackson, OVK; Burt L. Jackson, OVK; Daniel
Gillikin, USFS; Steve Will, KCAW-FM; Don
Rivard, US FWS; Greg Bos, US FWS; Tom
Morphet, United Fishermen of Alaska; Bob
Larson, USDA; Mike Turek, ADF&G; Ben Van
Alen, USDA; Doug McBride, US FWS; Terry
Suminski, USDA; Jeff Reeves, USDA; Greg
Kahler, USFS; Martin Myers, USFS; John
Burick USFS; Nels H. Lawson, USFS; Robert
Johnson, ADF&G; Steven McCurdy, ADF&G;

1 Robert Chadwick, ADF&G; Tom Brookover,
2 ADF&G; Pete Probasco, US FWS; John Burick,
3 USFS; Wini Kessler, USFS; Rick Davison,
4 ADF&G; Neil Barten, ADF&G; Meg Cartwright,
5 ADF&G; Bob Schroeder, JFSL; Judy Ramos,
6 Yakutat Tlingit Tribe; David Belton, Hoonah
7 Indian Association; Herman Kitka, Sitka ANB;
8 Robi Craig, Sitka Tribe of Alaska; Jude
9 Pate, Sitka Tribe of Alaska; Jack Lorrigan,
10 Sitka Tribe of Alaska; Walter A. Johnson,
11 Yakutat; Woody Widmark, Sitka Tribe of
12 Alaska; David Bedford, Southeast Alaska
13 Seiners.

1 PROCEEDINGS

2
3 MS. GARZA: I'll call the meeting
4 back to order. Last night when we wrapped
5 up, we were finishing Proposal 40. We have
6 three more proposals to go; Proposal 30,
7 which was pulled out for Mike Jackson's
8 benefit, and then three other proposals.

9 I voted against the proposal
10 because I didn't feel it was time to add
11 bait to it, since bait would significantly
12 increase the harvest, I felt although there
13 could have been a reduction in size, I felt
14 the size was too much considering the
15 newness of the regulation last year.

16 I wanted to put that on the
17 record.

18 We pillow -- we have Item 10
19 before us, the "Proposed Projects for Fiscal
20 Year 2002: Review and Recommendation."
21 Mr. Doug McBride from OSM will be presenting
22 on that.

23 Are you ready, Doug?

24 MR. McBRIDE: Thank you, Madam
25 Chairman, members of the Council. My name
is Doug McBride. I'm with the Office of
Subsistence Management, Fishery Information
Services. What I'm going to be discussing
this morning is the recommendation for
funding new projects in the upcoming fiscal
year, which is fiscal year 2002, 2002 year.
And the material we're going to be covering
is under Tab E in this book, and I'll be
directing -- speaking directly to that
report, Tab E -- I'm going to dispense with
some of the background. Early in the
evening we went through the existing
program. The background is the same.
Everyone is familiar with the Resource
Monitoring Program, how it's constructed and
the mechanics of how it works. I'm not
going to go through that.

23 But if you turn to page 5 in Tab
24 E, this is something we discussed on Monday.
25 This is a graph that looks like this. This
really is the financial backdrop of the
program and I think it's important that
everybody understands that because it really

1 drives what's possible from a money
2 standpoint, and it certainly drives the
3 staff recommendation on what to fund. We
4 discussed this on Monday. What this is is a
5 picture of the financial accounting of the
6 program, and if you'll remember on Monday,
7 the existing program, the program that is
8 currently funded are the small black bars,
9 okay? That started in the year 2000, and
10 those small black bars, that's the money
11 that was allocated to start the program.
12 For instance, the Southeast, Falls Lake
13 weir, the Klawock program, there was a
14 couple of programs that were started in
15 2000. Then, if you move over to the second
16 bar, over 2001 -- it's that large gray part
17 of the bar -- that's the \$7.25 million that
18 was allocated in 2001. So, the meeting we
19 had last week -- month when we discussed
20 projects, that was that program. Again,
21 this is an accounting on the statewide
22 basis, but everything steps out
23 proportionately in Southeast. You can see
24 those gray bars moving to 2003. The black
25 bars and gray bars, that's what we discussed
on Monday.

14 Today, what we're going to
15 discuss is starting to go over the first bar
16 in 2002, you'll see a light gray bar with a
17 number in it, \$2,064,000. That's how much
18 money is available for new work starting in
19 2002 for the whole state.

17 And our recommendation, if the
18 staff -- the technical review committee
19 staff recommendations follow throughout the
20 State, then that would allocate that -- if
21 you go over 2004, there's a bar there, it
22 says 1,648. That would be the financial
23 recommendation from the recommendations that
24 start in 2002. If you go all the way to the
25 bottom, that would be the last part of that
financial obligation. That's the amount of
money on a statewide basis that is under
consideration for 2002.

23 Okay. At this point, I think now
24 that is the financial backdrop.

24 MS. GARZA: Doug?
25 So, if you look at that bar, 1.6
to 1.1, so the total available in 2000 is

1 approximately 4.7 or something?

2 MR. McBRIDE: No, not available.
3 In 2002, it's 2 million, because the way
4 this will work, is every year we get \$7.25
5 million and so what we have to do is
6 subtract out any previous obligations to
7 figure out how much money is available for
8 new work in any particular year. So, let's
9 say for the sake of argument, all the
10 Councils went along with all the staff
11 recommendations in all the regions. What
12 would happen is out of the 2002 money, that
13 would obligate \$2,064,000, and those
14 programs that have multiple-year components,
15 it would then obligate in 2003, \$7.25
16 million that year. It would obligate,
17 \$1,648,000. 2004, \$1,250,000. Every year
18 we get a chunk of \$7 million, but you have
19 to look at the prior years to figure out
20 what's available for that year.

21 MS. GARZA: So, in the \$2 million
22 of the \$7 million, we assume that 1.6 will
23 be necessary for two-year project, and 1.1
24 will be necessary to carry the three-year
25 projects that started in 2002?

MR. McBRIDE: Yes. That's
correct.

Just our point on this graph in
anticipation. If you look at the bar, the
fourth bar over. 2003, okay? So the second
from the end, if you're going this way; so,
for the following year, 2003, a year from
now, the way you would look at that bar,
that \$7.25 million, the way that would be
divvied up, the bottom part, the gray part
at the bottom, 3 point something million
dollars, that would be the very last part of
the obligation from the program we decided
on last February, 2001. The next part of
the bar that's got the 1 comma 648, that's
got the obligation from the program we're
going to discuss today.

The Fisheries Partnership
Program, that would be the obligation for
that program. The very top part of that
bar, cross-hatched, a little over a million
that's available for new work for 2003,

1 which is -- which is a very small amount of
2 money. That million dollars has to be
3 spread across the entire state.

4 If you move over to the very last
5 bar, 2004, that large kind of white speckled
6 bar at the top, that will be the amount of
7 money available for new work that year. The
8 reason why it's so much more is because the
9 big financial obligation for 2001 will have
10 come to an end. Then at that point, what
11 we're really going to have to discuss is
12 what new work we want to do. In addition to
13 that, what ongoing work do we want to fund?

14 MS. GARZA: Okay. And so I'm not
15 sure if I mentioned -- if I missed it in the
16 earlier presentation. What is the proposed
17 Partnership Program?

18 MR. McBRIDE: Madam Chair, the
19 Partnership Program, remember back at the
20 Sitka meeting Mr. Carl Jack was here, that
21 was the program he was speaking to. That is
22 a program that is funding either biologists
23 or social scientists positions in rural or
24 Tribal organizations around the state. And
25 the objective of that program, in general,
26 is to clearly build capacity in those
27 organizations, have those positions help
28 focus and develop funding projects that are
29 aimed at the right strategic issues, all
30 those kinds of things.

31 And so that's what that program
32 is. And there's a call for proposals right
33 now that I think has been extended to
34 November 15th for that program. They're
35 anticipating the cost of that program is
36 going to be about a million dollars,
37 starting in 2002. You see those diagonal
38 stripes, that chunk, that never changes.
39 That's the anticipated cost of that program
40 on an ongoing basis. It comes out of the
41 Fisheries Monitoring Program.

42 Okay. If there's no further
43 questions on that. Then, if you would, step
44 through your report to page 13, and what I
45 want to talk about is the recommended
46 program, plus the projects that are
47 available for consideration for 2002.

48 Again real briefly, we put out a

1 call for proposals a little under a year
2 ago. Last November, we received -- when we
3 speak about this in Sitka, we received about
4 \$15 million in programs -- remember, we have
5 about \$2 million to spend. The technical
6 review committee went through those,
7 selected a subset of those proposals that in
8 their view best met the issues and
9 information needs identified by the Councils
10 that have the highest technical merit, the
11 best capacity building, those kinds of
12 things. A subset of those projects advanced
13 those for development of an investigation
14 plan and so that's what we now have in front
15 of us. This table, Table 1 -- the other
16 thing, if you remember back to our
17 discussion that we had in February, one of
18 the things that you specifically wanted to
19 know about these projects was you wanted a
20 better and more detailed financial
21 accounting of certain aspects of the
22 projects. And Table 1, what this shows is
23 for all of the projects that were advanced
24 in the investigation plan, it shows not only
25 the total budget, but it shows how that
budget would be spent and the categories
that we put them in were either to a Federal
agency, State agency or what we call an NGO,
non-government organization, somebody
besides the Federal government or the State
of Alaska government.

And so, if you look at Table 1 on
page 13, if you read it starting to the
left, again, you have a project number, this
is our accounting system to keep track of
each individual project. Next, we have the
agencies and organizations that are a part
of that. Again, that's another one of the
things there's a lot of interest on the part
of this Council, who are all the
investigators for all these projects. That
lists them out. Then there's the title of
the project, then you'll see the columns
titled NGO, Federal, State, total. That's
the amount of the budget for 2002 that would
go either to a non-government organization,
a Federal agency, or State agency, then the
total cost of the project.

Again, that's just -- that
certainly helped the technical review

1 committee try to sort their way through
2 their projects and that's also presented
here for your information.

3 If you flip the page and go to
page 14 you'll come to Table 2, and this has
4 another piece of financial information that
the technical review committee asked for,
5 and you also asked for about the 2001
program in February. The pieces of the
6 information here are how much of that budget
for any particular project goes to local
7 hire, and to help the investigators along,
we gave them a real specific definition of
8 local hire, so we were all talking about the
same thing. Basically, what we told them is
9 when we put out the call for proposals,
local hire is the hire of anybody for which
10 there is at least a preference for what
would amount to a Federally qualified
subsistence user. Everybody kind of had a
11 little bit different definition of local
hire. If you go through the Federal system,
12 the State system or how a Tribal or a rural
organization would hire, that was the
13 definition that we thought had a lot of
commonality that everyone could relate to.
14 When we talk about "local," what that would
boil down to is somebody would qualify as a
15 Federally qualified subsistence user.
That's what we mean by local hire. The
16 other thing we asked for, whether whoever
was proposing the project was coming up with
17 any matching funds. The matching funds are
not part of the project budget. This would
18 be something that particularly an agency
might bring to the table, help on the
19 project. They were putting up some of their
money outside of what they were asking for
20 here to run a project.

Table 2 basically lists out
21 again; project number, who is proposing it,
the title of the project and then it lists
22 how much of that budget goes to local hire
and -- excuse me, in addition to what
23 they're asking for, whether they're bringing
any matching funds to the table. Again,
24 this is just presented -- it was presented
for the technical review committee's
25 consideration and also for your
recommendation and consideration.

1 I'll pause for a moment and ask
2 if there's any questions about that segment
3 before we get into the actual projects.

3 MS. GARZA: Floyd?

4 MR. KOOKESH: Can you explain to
5 me a little bit more about your local hire?
6 Is it based on Title 13 of ANILCA?

6 MR. McBRIDE: Mr. Kookesh, no,
7 it's not. When this program started, one of
8 the things that we look at is what's called
9 partnership and capacity building aspect of
10 the project, and when the project -- when
11 the program started, we kind of threw out
12 this category that's called local hire. We
13 asked all the investigators, tell us how
14 much of this budget is going to local hire.
15 But what we found is everybody kind of had a
16 different definition of what local hire
17 meant. So, we gave them one, and we gave
18 them one that we think makes sense. And so
19 again, what it means is local means is there
20 some kind of a hiring preference in that
21 organization for hiring what would amount to
22 a Federally qualified -- someone who
23 qualifies as a Federally qualified
24 subsistence user, and that really kind of
25 helped to narrow the field. For example, if
26 we're working with Angoon, clearly anybody
27 Angoon hires is going to be somebody who is
28 Federally qualified, a local resident. The
29 State, when they hire a seasonal staff, they
30 have a local hire preference, when they say
31 "local," the first order of priority is they
32 go right to the community, the closest
33 community to where the work is being
34 considered. I think the Federal
35 community -- I'm not as familiar with the
36 Federal hiring practices -- I think in
37 general the same thing happens there.

22 And what it does is it just puts
23 more definition on what we really mean by
24 local hire, and I think it strikes exactly
25 where the Council is coming from. When
26 different investigators say local hire,
27 we're all talking about the same thing, just
28 put some commonality to that definition.
29 Before it was a little uncertain, and so

1 things were being portrayed as local hire
2 around the State that I'm not sure
3 everyone -- would not meet exactly what this
4 definition means.

5 MS. GARZA: Mr. Littlefield?

6 MR. LITTLEFIELD: Could you give
7 me your definition of local hire again?

8 MR. McBRIDE: What we told the
9 investigators in the call for proposals is a
10 hiring practice that had a systematic
11 preference for someone who would qualify as
12 a Federally qualified subsistence user in
13 the area where the work is being conducted.

14 MR. LITTLEFIELD: I'm following
15 up a little bit on Floyd's questions. I'm
16 wondering why 1408 wasn't followed. It
17 specifically says what local hire means and
18 the limitations or lack thereof that are
19 applied to these individuals. I think
20 that's easy to craft right there based on
21 that language.

22 MS. GARZA: So, John, since
23 you're the only one open to that page, could
24 you read it to us?

25 MR. LITTLEFIELD: This page?

Section 1308, which is local hire
under Title 13.

It's under A program; I'll read
what it says: After consultation with the
office of the personnel management,
Secretary shall establish a program under
which any individual who by reason of having
lived or worked in or near a conservation
system has special knowledge or expertise
concerning the natural or cultural resources
of such a unit and the management thereof as
determined by the Secretary shall be
considered for the selection for any
position within such unit without regard to,
one, any provisions of civil service law or
regulations thereunder which require minimum
periods of formal training or experience.

Two, any such provision which

1 provides an employment preference to any
2 other class of applicant in such a
3 selection.

4 And, three, any numerical
5 limitation on personnel otherwise --
6 individuals appointed under this subsection
7 shall not be taken into account when
8 applying any personal limitation described
9 in Paragraph 3.

10 MR. McBRIDE: Mr. Littlefield, I
11 think what we did does exactly what's in
12 there. What we tried to do is boil it down,
13 instead of legal language, boil it down to
14 something that all the investigators could
15 relate to and call for proposals. My
16 assessment is I think we hit that on the
17 head.

18 MR. LITTLEFIELD: Madam Chair, I
19 think I heard of at least two cases where
20 there was some conflict between the Tribes
21 in a cooperative hiring where they had some
22 problem buying off on this, that you had to
23 have certain criteria and you have to abide
24 by certain rules, hired on these cooperative
25 projects, are all of those misperceptions
with the State and Tribes solved at this
time.

MR. TUREK: Maybe I can help you.
I'm Mike Turek, subsistence division, ADF&G.
Madam Chair, Councilman Littlefield, we've
been hiring local hire for -- Fish & Game
subsistence division for a number of years,
particularly on the seal -- sea lion survey
we did. In the projects this last year,
we'll hire them as temporary fish & wildlife
techs. First of all we go to the community,
Tribal community and ask for recommendations
for people for the jobs, and we -- the main
qualification that we request is someone who
is familiar with the subsistence practices
in the community. And the way the job
description for the Fish & Wildlife Tech IIs
are written, that qualifies if they have six
months' experience in fishing and hunting,
then they're qualified. That's how we go
about hiring.

This past year on the project in

1 particular with Kake, on the Kake
2 subsistence TEK project, what we did there
3 is we spoke of -- with OVK, and they said
4 for them it would be easier if we did a
5 cooperative agreement and turned the money
6 that we had allotted to local hire for them
7 and they would use that for the position,
8 and that's what we did with them.

9 In many respects that's much
10 easier for us, much less paperwork. In
11 future, on the fishing projects, that's what
12 he'd like to be able to do, instead of going
13 to the hassle of the state hire is go ahead
14 and do a cooperative agreement for the
15 funding we have for the temporary hires and
16 let the Tribe or the local community hire
17 those people. And they can judge what
18 qualifications are needed for that position.
19 Because when we write the cooperative
20 agreement, we don't write in job
21 qualifications, we determine it as a
22 cultural expert I think is the term that I
23 use in the cooperative agreement. Then it's
24 up to the local community to decide who is
25 the cultural expert. Maybe that will help
you at least from the State side how we're
doing this.

MS. GARZA: Fred, and then Cal
and then John?

MR. CLARK: Thank you, Madam
Chair, I don't want to spend a lot of time
on this, it might answer the question
directly. Why was this section not used
directly in the definition? I know a little
bit about the ANILCA hires. I was one. I
was hired once under that authority, and
worked under that authority, and that's an
authority that the Federal government
uses --

MS. GARZA: Fred, speak closer to
the mike.

MR. CLARK: That's an authority
that the Federal Government uses to hire
people directly into the civil system. The
Forest Service would hire somebody and
interior agencies would hire somebody using

1 that authority. With partnership positions,
2 those people work directly for the Tribes or
3 other organizations, so they're hired by
4 those organizations and not by the Federal
5 Government directly. That's why 1308
6 doesn't particularly apply, though the
7 intent certainly is still covered there.

8 MS. GARZA: Cal? Dittoed Fred.
9 John?
10 Okay. Keep going -- oh, wait,
11 Harold?

12 MR. MARTIN: Madam Chair, Doug, I
13 think this also concerns me. I think since
14 you're operating under ANILCA, there should
15 be reference made to Section 13 of the
16 ANILCA instead of saying you made up a local
17 hire description. I think it would simplify
18 things and make us feel better.

19 MS. GARZA: It may be good to
20 reference it, but I also like the definition
21 of local hire that they're using. If it's a
22 preference for a Federally qualified
23 subsistence user, I think that's good.

24 MR. THOMAS: I like all of them.

25 MR. McBRIDE: Okay. Madam Chair,
26 members of the Council, I think now let's
27 turn to page -- the next page, page 15,
28 Table 3, and we'll start talking about them,
29 the projects and the recommendations for the
30 Southeast region. Table 3 is only going to
31 summarize the Stock Status and Trends
32 projects. We'll go through this and then
33 we'll move to the harvest monitoring and TEK
34 projects. Madam Chair, my recommendation is
35 to let me go through both the Stock Status
36 and Trends and the Harvest Monitoring TEK so
37 you can see the entirety of what was on the
38 table and what's being recommended before we
39 go to questions and discussions, if that's
40 okay.

41 So, on Table 3, again, this is
42 the Stock Status and Trends, and if you'll
43 remember, for the staff, our starting point
44 is to take the total amount of money
45 available and to spend about two thirds of

1 it on the Stock Status and Trends projects
2 and about a third of it on the Harvest
3 Monitoring TEK projects. That's our
4 starting point. That's our guideline, so
5 the recommendation we give you follows that
6 guideline.

7 So, if you look at Table 3, and
8 again, we'll start on the left-hand side,
9 there's just a project number, then the
10 title of the project, then a recommendation.
11 That's the technical review committee's
12 recommendation for funding in fiscal year
13 '02, and then the requested budget shows by
14 year what the cost of that project would be.
15 And then the projects in bold that have a
16 "yes" under recommendation, that is the
17 technical review committee recommendation.

18 What I'll do now is just briefly
19 describe each of those projects and very
20 briefly describe what the technical review
21 committee thought -- why they made the
22 recommendations that they did.

23 As you'll see, most of the
24 projects deal with salmon stock status.
25 Again, that shouldn't be a surprise.
26 That's, obviously the highest priority for
27 the stock status information for this
28 region, and the first two projects; Neva
29 Creek Sockeye Stock Assessment Restoration,
30 and Redfish Bay/Tumakof Lake Sockeye Stock
31 Assessment, those are the recommendations
32 from the technical review committee. Both
33 of those projects deal with sockeye salmon.
34 Both of those projects are very doable
35 projects. They basically call for
36 estimating escapement basically through a
37 weir. They also have some components where
38 they're looking at the harvest close to
39 where the -- you know, the fishery that's
40 close to where the creek actually is. They
41 also both call for doing some lake work,
42 trying to assess the carrying capacity or
43 what is the lake capable of supporting and
44 the whole idea of the project is to measure
45 the escapement to the extent that we can,
46 measure the return, the return that comes
47 back locally, try to develop and try to
48 develop an escapement goal that makes sense.
49 That's the point of these projects. They're
50 very similar to the projects that are

1 already funded that we talked about several
2 days ago. They're very doable, the Neva
3 Creek project is a Forest Service project
4 but it is done in cooperation with the
5 Hoonah Association. It has a very strong
6 capacity-building aspect of that project.

7 The Redfish Bay project is a
8 Sitka Tribe of Alaska project. It is also
9 done in cooperation with some of the
10 agencies; but, again, it's got all the same
11 aspects, very strong capacity-building,
12 seems to be right on the mark as far as
13 strategic priorities. The people proposing
14 this are people we've worked with in the
15 past. They're reliable investigators.

16 It meets all the criteria that
17 we're looking at.

18 Just going down through these,
19 just briefly, looking at the projects that
20 weren't recommended, and I think I can
21 pretty safely say that the recommendation to
22 not fund is really driven by the amount of
23 money that's available. I mean, if you look
24 at financial information here, if you look
25 under 2002, if you look at all these
projects together, they total over \$700,000,
that 707.4, that's what that means. The
amount of money available is about \$228,000,
so that finite amount of money is driving
the recommendations. We're trying to pick
the best of a group of actually pretty good
projects.

26 If you look at projects that
27 weren't recommended, the first one,
28 declining East River Sockeye Historical
29 Review of Hydrologic and Fishery Data.
30 That's a project that would actually happen
31 in Yakutat. When Bert was here, he spoke
32 briefly about this project before he left.
33 I'll get -- I'll not get into a lot of
34 detail. The East River has a lot of
35 problems. The returns are far below on
36 what's come back historically. There is a
37 TEK project for the East River that's going
38 on right now that we're funding right now.

39 This particular project would
40 follow out that TEK work and do some
41 literature review and do some hydrologic
42 work and try to get at why the runs are as
43 low as they are right now. The major

1 problem with this project is even though
2 it's being proposed by the Parks Service and
3 YTT, they are looking for an investigator to
4 actually do the work. There's some pretty
5 technical work that they're proposing to do
6 here, and they're actually looking for an
7 investigator. In fact, my office, myself in
8 particular, tried to help them find an
9 investigator, and the biggest problem on
10 this project right now is they have not yet
11 found an investigator to do the work.
12 That's what Bert was actually speaking to
13 when he spoke to you just before he left.
14 And I don't want to put words in his mouth.
15 In general, what he's saying is they're
16 still working for the investigation plan for
17 this project. That's our assessment of it.

18 The next project; Prince of Wales
19 Coho Foot Survey. That was withdrawn by the
20 investigator.

21 MS. GARZA: Who was it withdrawn
22 by?

23 MR. McBRIDE: Fish & Game
24 project.

25 The next project, 01-124, Prince
of Wales Steelhead Evaluation. This is
another Fish & Game project. In fact, this
is a project we discussed last February. It
does just what it says it would do, evaluate
at least some steelhead stocks on Prince of
Wales Island. It's not recommended for
funding. I think you're familiar with that.
In fact, we recommended this for last year,
the Council did not support that
recommendation, and the TRC also did not
recommend it for funding. The thing that
puts this one a little bit on the edge, the
recommendation to not fund is based on two
things, one, the Council doesn't agree with
it, at least it didn't last February. But
it's also based on a very conservative
management of steelhead. You spent hours
talking about it yesterday. I'm not trying
to rehash that discussion, but if the -- if
a lot of harvest starts happening on
steelhead, the need for this work will go
up. I don't want to re-engage you on the
discussion we had yesterday. From the staff

1 perspective, if the harvest goes up
2 substantially, whatever that really means,
3 the need to do this work will increase. For
4 right now, the recommendation is to not fund
5 it, to focus on sockeye.

6 Then the final project, 02-018,
7 Southern Southeast Alaska Eulachon Stock
8 Assessment. This is a project to try to get
9 an assessment of eulachon or hooligan.
10 That's a regulatory discussion which you'll
11 probably have shortly after we have this
12 discussion. There are re-trying proposals
13 associated with eulachon, and this project
14 wasn't recommended for funding for several
15 reasons. First of all, certainly from the
16 staff perspective, it appears like doing
17 salmon work is still the priority. That was
18 certainly the technical review committee's
19 take on trying to get at strategic
20 priorities. The other thing about this
21 particular project, what it is proposing to
22 do is to try to get biomass assessments for
23 eulachon by doing aerial surveys and also
24 doing a lot of fishery sampling, both of
25 which are very important and good things to
also do.

14 The problem, though, is eulachon
15 or hooligan are incredibly difficult to work
16 with. The ability to get those biomass
17 estimates is questionable. The
18 investigators will tell you that. It's --
19 they're hard to deal with. It's not as
20 simple as putting a weir across the creek
21 and counting the number of salmon going up.

18 The other issue that technical
19 review committee had with this project is
20 that it has no capacity-building aspect to
21 it. Again, that may not be the fault of the
22 investigator. It's difficult work.
23 Eulachon are a difficult subject to deal
24 with, and there may not be a good avenue to
25 do good capacity building. The reality is
it doesn't have any. For those reasons, the
technical review committee's recommendation
was to focus on the sockeye.

24 Madam Chair, my recommendation
25 would be to go to the next table. I'll
pause for a second and get your concurrence.

MS. GARZA: You've got a couple

1 quick questions.

John, Harold, Bill?

2

MR. LITTLEFIELD: What name are
3 you using, for hooligans? What's the name?

MR. McBRIDE: Eulachon. And
4 that's another name for -- they're called --
5 to my knowledge, eulachon, hooligans, and
6 some people call them smelt.

6

MS. GARZA: Harold?

7

MR. MARTIN: Thank you, Madam
8 Chairman.

Doug, on the hooligan stock
9 assessment, it seems like the hooligan is
10 the least monitored species of all the
11 subsistence. I was going through the
12 Proposal 41, and reading the -- it was
13 really disturbing quotes in there. Alaska
14 Department of Fish & Game determined there
15 was sufficient anecdotal evidence of a stock
16 collapse in 2000 to warrant closing the
17 fishery for 2001. And down below it says,
18 the average number -- the average number of
19 persons participating in the personal use
20 fishery prior to 2000 was unknown because
21 there was no monitoring program. It goes on
22 to say it's estimated that the total number
23 of the fishery -- I mean, you know,
24 estimation.

The level of personal use harvest
17 has not been documented, but it is thought
18 to be much less than the commercial catch,
19 probably less.

I mean, estimations and
19 probablies, there's really no monitoring
20 programs at all. That bothers me.

The size of the hooligan
21 population, sustainability of the personal
22 use subsistence, and commercial fishery is
23 unknown.

I know we had problems with when
23 they were extending the length of the
24 airport in Haines, we had a problem because
25 there was no data available, and if you have
26 problems keeping track of hooligans, go to
27 traditional knowledge, ask the local people;
28 they'll tell you.

1 Thank you.

2 MS. GARZA: I think Harold, we'll
3 get to those discussions, and go through the
4 recommendations of staff and see if we want
5 to change anything, but the impression I got
6 was the two that were recommended because at
7 the meeting in Anchorage we said we clearly
8 wanted salmon species and we clearly wanted
9 capacity-building, and the two on top have
10 those two components. If we want to move
11 things around or if we want to focus on
12 hooligan, we might request that that --
13 whoever submitted that proposal include TEK
14 or include Wrangell Tribe, if the issue --
15 resubmit for next year. We'll get back to
16 that. I think we're trying to make sure we
17 clearly understand rationale for the
18 committee recommendations and get to TEK so
19 we see the big picture and then figure out
20 what we're going to do.

21 Bill, you had a question?

22 MR. THOMAS: Yeah, I like what
23 I'm seeing here. I just wonder is there a
24 history of eulachon assessments in the
25 Beaver Canal, or is this just a focused
attempt?

26 MR. McBRIDE: Mr. Thomas, there
27 has been at least some history, I'm sure of
28 assessment, and what's unfortunate here is
29 because of the lateness of the hour and
30 people's schedules, you're going to have the
31 regulatory discussion about hooligan after
32 we talk about this, and I think some of that
33 information is going to come out. But,
34 there has certainly been at least some
35 assessment; but, I mean, the situation that
36 Mr. Martin described is correct. I mean,
37 the assessment of hooligan is incomplete, at
38 best.

39 MS. GARZA: Okay. So could we
40 move on to the TEK?

41 MR. McBRIDE: Get to the Harvest
42 Monitoring TEK, flip the page and go to page
43 17, then you'll see a very similar table,
44 Table 4, and it shows the same information,

1 then, for the Harvest Monitoring and TEK
2 projects for the Southeast region. And here
3 there were four projects advanced for
4 investigation plan, and the technical review
5 committee -- again, the recommendation of
6 the technical review committee are in bold
7 type, and then a yes under the
8 recommendation, and here, actually, the
9 technical review committee, I think, worked
10 a lot with the investigators to try and fit
11 as much of his work in as possible and as
12 much of the work that they thought really
13 needed to be done out of what was proposed.
14 What you're going to see here are three of
15 four projects are recommended for study.

16 Let's deal with the recommended
17 projects first. The Wrangell subsistence
18 salmon harvest use pattern and the Hoonah
19 and Klawock salmon surveys are very similar
20 kinds of projects. They are by and large
21 interview projects of local communities.
22 What they're designed to do is to document
23 and capture the -- both the historic and the
24 contemporary subsistence use by those
25 communities. And, again, they're very
26 similar in those regards.

27 The Southeast Alaska subsistence
28 GIS database, then this is a project where
29 that information and other ongoing
30 information that's documented subsistence
31 harvest use patterns, is going into -- just
32 what it says, database, GIS, that's mapping,
33 mapping software so you can see a pictorial
34 representation of the data instead of just
35 seeing tabular information, and that's what
36 that project is doing.

37 For all of those projects, they
38 were all submitted as one-year projects
39 originally. But what the technical review
40 committee did, they went back to each of the
41 investigators and instead of dealing with
42 them on a one-year basis, basically asked
43 the question, because of the limited amount
44 of money, would it be possible to spread
45 that work over two years and divide the
46 money up over two years, same amount of
47 money, just spread over two years. In every
48 case, the investigator said, Yes, that's
49 possible, that's doable; and they agreed
50 with that strategy. So, basically, what we

1 were able to do here, I think, is stretch
2 the money and use some of the money that
3 would be available for the following year.
4 But I think, at least in our view, for a
5 very good reason. So, because of that
6 strategy, all three of those projects, we
7 could fit in close to the target budget
8 level, which is about \$141,000.

9 The only project we're not
10 recommending for study, the top project
11 there, regulatory history of Southeast
12 Alaska, subsistence salmon fisheries
13 regulations. This is technically a very
14 strong project, and it speaks to a strategic
15 priority of the Council. However, it's
16 duplicative of some existing work. There's
17 an existing project, correct me if I'm
18 wrong, Tlingit Haida Council, it's doing the
19 same thing we're already having somebody do.
20 The recommendation here is to do the work
21 we've already funded and see what we can do
22 to document the regulatory history of
23 subsistence salmon fishery regulations in
24 Southeast. So that's the reason why that
25 one was not recommended.

1 Just one last thing, and then my
2 recommendation is wide open for discussion.
3 If you flip the page and go to page 18, what
4 you'll see is a pie chart, and what this pie
5 chart does is it just provides a graph of
6 how the money would be spent if you follow
7 the technical review committee
8 recommendation. And, again, it looks at who
9 the money is going to, a Federal agency, a
10 State agency, or a non-government
11 organization, and under the technical review
12 committee recommendation, as I presented it
13 to you -- I don't know percentages here,
14 roughly 60 percent of the money or about
15 257,000 would be going to non-government
16 organization, then about 110,000 would be
17 going to the State, and about \$60,000 would
18 be going to the Federal Government. So,
19 that captures the recommendation looking at
20 where the money is going. That concludes my
21 presentation, I'll be happy to get into
22 questions.

23 MS. GARZA: Before we get into
24 questions, on page 13, you have Table 1

1 broken into how the money breaks out under
2 Section B. There's only two of the four
3 listed there and I don't see it continuing
4 on the next page.

5 MR. McBRIDE: Madam Chair, no
6 matter how many times you look at this
7 stuff, it got cut off.

8 MS. GARZA: So, then, on page 17,
9 where we have the four listed; the Wrangell
10 subsistence salmon harvest use pattern, who
11 submitted that proposal?

12 MR. McBRIDE: Madam Chair, that
13 would be submitted by Alaska Department of
14 Fish & Game subsistence division in
15 cooperation with the Wrangell Association.

16 MS. GARZA: Mike?

17 MR. TUREK: Mike Turek with the
18 subsistence division, Fish & Game. Madam
19 Chair and Council, I worked with John Feller
20 on that proposal, and something that doesn't
21 show up in the material you have here,
22 there's also \$20,000 that will be going
23 directly to the Wrangell IRA for this
24 project. That money is for them to
25 supervise the local hires that were hired to
work on the project, and also for other
expenses. So, there's another 20,000 in
that project that goes to the Wrangell IRA.
This is one of the projects that will be
split over two years. So, this year, what I
think we would do would be just the initial
project, do some literature research and
work with the Tribe, organizing, getting
ready for next year for the field work. The
majority of the work will be next year.

MS. GARZA: So, Mike, the survey
is for salmon, but is it possible to include
hooligan there?

MR. TUREK: I talked with Fred
Clark about the separate project on southern
Southeast hooligan, Wrangell, Chickamin,
Unuk, and several others. I'm talking with
Fred Clark right now. I've got a proposal

1 closer -- pretty close to being done, that I
2 can show you sometime here. It's on my
3 computer. We're looking at working in
4 Ketchikan, Metlakatla, Saxman, and Wrangell,
5 about the hooligan fisheries down there.
6 I've been discussing that project with
7 Dr. Priscilla Schultee, the professor for 20
8 years, has representations with Metlakatla
9 and Ketchikan, Saxman, so I've been
10 discussing working with her on that project.

11 MS. GARZA: The Hoonah and
12 Klawock salmon survey, I'm assuming it's
13 through you.

14 MR. TUREK: Actually, Madam
15 Chair, that's the Tlingit Haida will be
16 taking the lead on that. We have a smaller
17 role in that. I can't give you too many
18 details on that. I'm going to meet with
19 Gordon Jackson to discuss that more. Our
20 role in that will probably be in Hoonah,
21 doing the contemporary use and history of
22 the subsistence fisheries. The bulk of work
23 will be overseen by Tlingit Haida. I need
24 to, like I say, discuss more with them how
25 we're going to go about doing that.

MS. GARZA: David, were you aware
that TNH had submitted this proposal?

MR. BELTON: I had read it.

MS. GARZA: So, given the
projects before us and the listed on page 15
and page 17, the bolding of Projects 12, 17,
49, 104, and 38 as the recommended projects
to fund which total the amount of money that
we have this year, is there a proposal to
accept this recommendation?

MR. THOMAS: So moved.

MR. DOUVILLE: Seconded.

MS. GARZA: Seconded by Mike
Douville.

It's up for discussion.
Patricia?

MS. PHILLIPS: Madam Chair, I'm a

1 little disappointed that the declining East
2 Alsek River, some sockeye review of
3 hydrologic and fishery data isn't going to
4 be funded. We did -- or the Federal
5 Government did fund the TEK, and they have
6 identified it as a declining stock, and I
7 would like to see a follow-through on that
project. I understand there's only a
limited amount of money and I see that it's
not recommended, but is there a possibility
that it will be recommended further down the
line, the following year? What's the
likelihood of that happening?

8 MR. McBRIDE: Madam Chair,
9 Ms. Phillips, the short answer, yes. Yes,
10 there's certainly a chance that that will be
11 recommended. Again, you have to look at it
12 for two things, first of all, staff -- it
13 was certainly the review of the technical
14 review, the Neva Creek, and Redfish Bay
15 stuck more to just some even more important
16 strategic priorities. They were technically
17 a little better, they had real strong
18 capacity-building. The East River project
19 had a lot of the components, but the main
20 thing it didn't have was they were still
21 having trouble finding the actual
investigator who was going to do the work.
And so, our recommendation, when I say our,
technical review committee recommendation
was to clearly identify who that
investigator is, rely on the TEK work that's
going on right now, and then, I guess,
presumably by the time the TEK work was
done, they will identify an investigator and
come back with what would then be a much
more complete investigation plan and I think
moving forward at that point would be pretty
straightforward.

22 MS. GARZA: Mr. Littlefield?

23 MR. LITTLEFIELD: That's the same
24 project I wanted to talk about. And I
25 noticed the project is listed ahead of the
titles, information type Harvest Monitoring
and TEK, which is a priority for this
Council, one of the priorities, and like
Patty said, you put it into a stock

1 assessment, priority is -- salmon is a
2 priority, too. The support, National Park
3 Service, Yakutat, 13, Forest Service, Dry
4 Bay. All these people support this, you say
5 you work with all the TEK projects to help
6 their investigators make this project
7 viable. I think you should -- I would have
8 liked to have seen you work and make this
9 project too, this is the second year, I
10 think it's come to us, and they've been
11 lobbying for it. It seems like it was a lot
12 of interest, I think it was misapplied to
13 the wrong pot of money.

14 MS. GARZA: John, I think there
15 is a TEK project for Alsek that is being
16 funded now. I'm not sure if we're getting
17 mixed up here.

18 Judy, do you want to come up for
19 a second?

20 Looks like we're here for the
21 weekend.

22 MS. RAMOS: My name is Judy
23 Ramos, and we are working with the National
24 Parks Service. It's a \$25,000 TEK project
25 that we are going to combine with some other
26 moneys to do a TEK for the Yakutat area.
27 Part of that will be focused on the Dry Bay
28 and looking at traditional salmon harvest
29 management and methods for the Dry Bay area,
30 and to the other project, looking at Tribal
31 territories and traditional management of
32 resources for the Yakutat area. So, there
33 is a project which we're waiting to -- just
34 waiting to get the Council -- Tribal Council
35 to approve, the cooperative management
36 agreement.

37 MS. GARZA: Judy, could you state
38 your name for the record?

39 MS. RAMOS: Judy Ramos.

40 MS. GARZA: With who?

41 MS. RAMOS: I was working with
42 the Yakutat Tribe. My money has ran out for
43 the other grants; so I'm volunteering now.

1 MS. GARZA: Okay. So, last year,
2 did we approve a Yakutat TEK project?
3 Doug?

4 MR. McBRIDE: Madam Chair, yes,
5 you did. That was part of the 01 program
6 that we went through in February. The
7 Federal Board then made a funding decision
8 on it at the end of February.

9 MS. GARZA: So, it's my
10 understanding that the project on this page
11 is a hydrological data that would find some
12 scientist somewhere that says this is why
13 the river is doing what it's doing, and
14 that's why we're getting no fish.
15 Maybe we're mixing up the reports
16 last year and this year.

17 MR. McBRIDE: Mr. Littlefield,
18 the other thing, John, as you read that
19 project, there are Harvest Monitoring
20 aspects to that project. It's kind of a
21 crossover. In fact, we discussed with the
22 Parks Service which -- because they
23 submitted it under -- we asked them
24 specifically, is there enough here, do you
25 want this considered as a Harvest Monitoring
26 project and what they came back with is no.
27 We actually had that discussion with them
28 because there are aspects to both. So, in
29 their view, they were most comfortable with
30 dealing with it as an SST project. That's
31 the way we put it.

32 MS. GARZA: Okay. I guess my
33 intent is to vote in favor of the proposal
34 to accept the recommendation of staff.

35 I remember from the Anchorage
36 meeting, we were all riled up because we
37 didn't think that they were following
38 salmon, there was no capacity-building, and
39 the proposals that were proposed to be
40 funded meet exactly the criteria that we
41 gave them. I'm quite happy with that. If
42 we pass that, we can go through the other
43 ones and say yes, we would like to have the
44 Alsek come back, and we hope it will come
45 back when it's fully prepared to be funded.
46 We would like to see something with

1 steelhead on Prince of Wales, but we would
2 like to see it with at least one of the
3 Tribes on the islands, so there is
4 capacity-building. Yes, we would like to
5 see the hooligan project funded. This is
6 what we'd like to see changed before we want
it coming forward. They all look good, but
the ones that are proposed are the ones that
met the criteria, that we beat out for
almost a day and a half at our Anchorage
meeting.

Patricia?

7
8 MS. PHILLIPS: I recognize the
9 expertise that the Sitka Tribes of Alaska
10 has, and that gives them the ability to
11 score higher on these recommendations, and I
12 recommend to this technical review committee
13 and any other agency involved that, in my
14 opinion, Sitka Tribes of Alaska is leap
15 years ahead of some of these other Tribal
organizations, and that these other Tribal
organizations need the expertise and
assistance to help them to score higher on
these -- on the technical review committees,
and from what I understand what Mr. McBride
was saying is they are working with the
Tribes to help them score higher in the
reviews.

16 MS. GARZA: The other thing we
17 can do is now we do have Fisheries Service
18 biologists, subsistence biologists. We
19 could also ask them to work with or check
20 with the Tribes prior to the deadline.
21 Somehow I missed a deadline this year, I do
22 at least check with Prince of Wales and see
if they need help, that should also be part
of our job as a Council, hey, the deadline
is coming up, is there something you want to
do, if you don't know how to do it, call
Cal, call Dave, call the replacement of
Fred, figure out how we can do this.

23 MR. MARTIN: Madam Chair, Doug,
24 this has something to do with Patty's
25 question. You made reference several days
ago that you and I had worked on Stock
Assessment and Harvest Monitoring Program.
Where does that fit in? This is from the

1 Native perspective, and I thought the final
2 project was very impressive. Now, how does
that fit into this?

3 MR. MCBRIDE: Mr. Martin,
4 organizationally, where it fits into the
5 whole Fishery Resource Monitoring Program,
6 that's actually considered one of the
7 inter-regional projects. That's why you
8 don't see it under the Southeast program.
9 But it's an inter-regional project, and then
10 the work group that you I and Cal sat on was
11 working at -- was looking at the entire
12 state. We dealt with it, obviously, region
13 by region. The project I spoke about the
14 other day where -- I'm trying to remember
15 which one it is, it's the implementation of
16 the statewide Harvest Monitoring working
17 group strategy or something like that, but
18 at any rate, what that project is doing,
19 that's an inter-regional project, but what
it's doing is it's setting up regional work
groups to develop and document how just what
I call the bread and butter, the day-to-day
Harvest Monitoring -- Salmon Harvest
Monitoring for that region is going to
occur, and that project. In fact, Mike
Turek could probably speak to it best, but
they're in the process right now of
organizing that regional work group; but,
again, under this program, it's considered
inter-regional project, because they're
dealing with Kodiak or dealing with Bristol
Bay or dealing with the Arctic, and it
clearly has a Southeast component to it, but
that's where it fits in.

19
20 MR. TUREK: Madam Chair, Council,
21 I can add a little bit more to that, within
22 the few weeks, probably next week Harold
23 we'll be getting in touch with you about
24 having a larger meeting with this group in
25 Southeast, including people from different
Tribes in Southeast to start talking about
our review and projects that we're doing
with the Harvest Monitoring in Southeast.
This winter we're planning on doing
subsistence salmon surveys, post-season
surveys this winter in Hoonah, probably
Angoon, and Kake. And that's part of this

1 project, to try to get a better idea of how
2 we can improve the Harvest Monitoring and
3 the permit system in Southeast. I think you
4 may have already gotten one phone call from
5 Dave in our office up in Anchorage, and he's
6 going to be down next week and we'll be
7 getting in touch with you when he's in town
8 again.

9
10 MS. GARZA: John?

11
12 MR. LITTLEFIELD: Thank you,
13 Madam Chair, I look at the amount of dollars
14 that were applied for in all these projects,
15 and it is significantly more than what is
16 funded. Like about a magnitude of two to
17 three. There are very good and compelling
18 reasons for funding every one of them. They
19 have some good points, every one of them.
20 Once again, this year like last year, we're
21 constrained by dollars, think we need to put
22 this in the annual report. I realize as
23 staff you can't do much about dollars. I
24 want to get this point out that this program
25 is constrained by the available dollars, and
I believe they are very important. I think
the numbers, we talked about these several
times are very important in gathering this
traditional knowledge, and I think this
Council needs to make a statement that they
believe -- there should be enough money to
fully fund the viable projects, because it's
tough to have to cut what we did last time.
There's not as many projects, maybe there's
not as many projects put in this time
because of what we did last time, we just
whacked the budget out, trout, everything
disappeared, we've got a hooligan project,
if we had the dollars, I would fund it
immediately. I'm going to reluctantly vote
for this. I'm not happy with it at all.
I'm just not happy with what we're doing,
and I want to get that on the record, we
don't believe there's enough money. I
don't. I can't speak for the rest of the
Council.

26
27 MS. GARZA: Marilyn?

28
29 MR. GILLIKIN: Madam Chair I

1 wanted to know what the projects that we're
2 voting on right now, and are these the
3 projects that we voted to fund up in
4 Anchorage?

5 MS. GARZA: Marilyn, turn off
6 your mike.

7 If you look on page 5 you'll see
8 the bar that says 2001, that light gray bar
9 represents all of the projects that we voted
10 on last year. Some of those projects were
11 three-year projects, so that's why you see
12 that dark gray bar going over to 2002 and
13 then 2003.

14 So, the six projects that we're
15 proposing to fund are not the only projects
16 going on. There are some that have been
17 funded over multiple years, and that cover
18 other communities.

19 And then the projects that we
20 fund -- if we were to pass this motion,
21 you'll see that several of them are two or
22 three-year projects, that those moneys would
23 be committed into the next couple of years.

24 MS. WILSON: Madam Chair, I need
25 to have the numbers also on the projects
that we're voting on so I can have it clear
in my head, but I also wanted to mention,
are we funding hooligan studies? I wanted
to comment on that. If we're going to
recommend funding put our recommendation in
for this funding for hooligan study, they
did a hooligan study up in Haines in the
Chilkat, and it's a very difficult area up
there to study hooligans, because the water
is so muddy, and I was wondering why we have
to study hooligans because they seem to have
a cycle. They don't come every year,
because up in Haines we've been having a
cycle of three or four years they don't show
up, and then all of a sudden they show up in
force.

So, we have a thing up in Haines,
our older people call the hooligans hooligan
people and we used to have a ceremony.
Before the ceremony came, before it was
their time, we'd have a ceremony. So, up in
Haines, where we respect the hooligans very
highly, and I hate to see them be touched, I

1 guess.

2 MS. GARZA: Thank you, Marilyn.
3 If you would, turn to the
4 proposals that we are -- in our motion
5 proposing to fund are on page 15 and 17, on
6 15, they're the two that are in bold,
7 FIS02-012, the Neva Creek Sockeye Stock
8 Assessment and Restoration, which is a joint
9 funded project, including Hoonah Tribe.

10 The second one is the one that's
11 listed as 17, Redfish Bay/Tumakof Lake
12 Sockeye Stock Assessment, which includes
13 cooperation with Sitka Tribe.

14 Those are the only two that are
15 bold on that page for a total of \$82,000.

16 If you flip that page over, on
17 page 17 there are three projects that are
18 bold, and those are the ones that are
19 included in this motion, the Wrangell
20 subsistence salmon harvest use patterns
21 which is ADF&G subsistence, but includes
22 John Feller and the Hoonah and Klawock
23 salmon survey which is a TNH proposed salmon
24 for Hoonah and Klawock, and a Southeast
25 Alaska subsistence database, which
includes -- who does it include? ADF&G, SD,
subsistence division, Tlingit and Haida and
TST. Who is TST?

MR. TUREK: Mike Turek,
subsistence division, Madam Chair, I believe
that that is a consulting firm in Fairbanks
that's -- will be involved in the project.
I think the aspect that they're involved in
will be primarily trying to get this stuff
on to the Internet. I don't know what their
exact title is.

MR. McBRIDE: Third Sector
Technologies.

MS. GARZA: All five of those
involve Tribes. The proposal is to accept
the recommendation of staff for those
projects to be funded?

MR. MARTIN: Madam Chair, call
for the question.

1 MS. GARZA: Question has been
called.

2 All in favor of the motion to
3 accept the recommendation of staff to fund
these five projects, signify by saying
"aye."

4 COUNCIL MEMBERS: Aye.

5 MS. GARZA: All those opposed,
6 say "nay."
Thank you.

7 MS. WILSON: Madam Chair?

8 MS. GARZA: Marilyn?

9 MS. WILSON: Before we lose Doug
10 here, I wanted to know the projects that
will be coming up in the next few years,
11 will we be thinking about doing enhancement
work, because I heard our esteemed older
12 member mention it.

13 MS. GARZA: It's my understanding
when we read this that these funds do not
14 include enhancement, and that was why I had
stated toward the beginning of the meeting
15 that we need to work with Federal
subsistence staff as well as ADF&G staff and
16 where there is enhancement needs, to try and
work -- the Tribes with the agencies to find
17 enhancement funding.

Cal?

18 MR. CASIPIT: Just to repeat some
19 of the things we've said earlier. The
Forest Service does have significant amounts
20 of money for enhancement, restoration, and
rehabilitation of fish habitats on the
21 National Forests. It's part of our job, we
do it all the time. It's just a matter of
22 folks coming in with proposals and talking
with our staffs in the district offices and
23 getting them into our plans for funding. It
doesn't really go through the FIS process of
24 getting Federal Subsistence Board approval
and review and this year-long process of
25 getting approval. I mean, you know, just go
into the district ranger's office and talk

1 about the project, get the biologist to go
2 out there and look at it. If there's
3 something that could get done, they'll do
4 it. We get plenty of money for doing those
5 types of activities.

6 MS. GARZA: Patricia?

7 MS. PHILLIPS: I have a comment
8 about the TEK funding that was funded,
9 Yakutat, and I'm concerned that perhaps the
10 level of funding was not adequate enough,
11 and I recognize that this is -- these were
12 like the first projects funded. I would
13 like to be able to hear that the project was
14 fully funded instead of the grass roots
15 coordinator having to volunteer her time,
16 that the coordinator could be fully funded
17 for that quality work that they're doing at
18 the grass roots level.

19 MR. McBRIDE: Madam Chair, I'm
20 not sure if you're --

21 MS. PHILLIPS: No, I'm making a
22 comment.

23 MS. GARZA: Mary?

24 MS. RUDOLPH: Madam Chair. Cal,
25 is there a time limit on how these --

26 MS. GARZA: Speak closer, Mary --

27 MS. RUDOLPH: Is there a time
28 limit on getting the funding to enhance some
29 areas? Because I know with our area they
30 had some Elders and some people talk about
31 some of the areas where we knew there was
32 some coho creeks and now they're not there.
33 And then with logging going out and the
34 fisheries not that good, all of the boats
35 have within taken out or sold out, and so I
36 was wondering, is there a time limit on when
37 we could try to find out about which
38 creeks -- you know, the roads that were
39 built, the culverts have been deteriorated
40 and falling down, so those creeks, I guess,
41 are the ones that have been drying up,
42 so....

1 MR. CASIPIT: The Forest Service
2 Fisheries Program really has no time limits
3 or set deadlines for projects, as projects
4 are identified, as we find projects on the
5 ground we fix them. As far as culverts
6 problems and road problems, right now I can
7 tell you, that's probably one of the highest
8 priority use for our restoration dollars.
9 We are serious about fixing these culvert
10 problems and these barriers. And, you know,
11 our deputy regional forester -- our board
12 member, in fact, has said that he's very
13 serious about this and he wants them fixed,
14 he's dedicating big bucks going back to
15 fixing culverts, rehabilitating roads. That
16 kind of thing that happened to salmon
17 streams. We're committed to fixing those
18 problems.

19 MS. RUDOLPH: Thank you.

20 MS. GARZA: Okay. I'll make a
21 comment, and then yours, Patricia; then
22 we'll take a break.

23 In looking at these proposals, I
24 am very concerned about the hooligan. We
25 still have to cover those proposals, and
26 although it's not one of the salmonid
27 species, if this proposal came forward with
28 a TEK or capacity-building component, then I
29 would be dogmatic in trying to convince the
30 Council to support that proposal. I'd like
31 to see one like that in the next round.

32 Patricia?

33 MS. PHILLIPS: I would like to
34 encourage the State and Federal agencies to
35 find additional funds to finish up the TEK
36 project at the local level in Yakutat. And
37 if not, is there a possibility that the
38 future project for the Yakutat, could that
39 be used to fund finishing up this project?

40 MR. McBRIDE: Patty, yes, it's
41 possible. I mean, I think Ms. Ramos spoke
42 to you, they're just getting started. So on
43 that project -- so, if there's a problem
44 with finishing up, then one of the things
45 our program is make sure that the projects
46 come to some logical conclusion. So if

1 something is left undone, then we try to
2 deal with that.

3 MS. GARZA: Just as a point of
4 clarification, and then Floyd and then
5 Marilyn and then break.

6 Mike, not all of those moneys for
7 Yakutat project were FIS moneys, were they?

8 MR. TUREK: Madam Chair, Council,
9 are you talking about the TEK project on Icy
10 Bay, or are you talking about the household
11 harvest survey that was completed?

12 MS. GARZA: The only one Judy ran
13 out of money for.

14 MR. TUREK: Judy is between
15 projects. The funding for the TEK project
16 hasn't started yet. And the first one ran
17 out.

18 MS. GARZA: Floyd, Marilyn,
19 break.

20 MR. KOOKESH: When you put your
21 budgets together, the ones that the
22 technical review committee goes through, one
23 of the things I always look for in terms of
24 this -- I call it the big picture, is
25 wondering if we're taking the proper
approach to management of this whole fishery
in Southeast, and I'm wondering, when the
technical review committee goes over this
process, are they -- do they have a focus,
are the focuses coming from us -- in terms
of proper management, are we going down the
right road? It was mentioned earlier about
following through on more follow-through on
the Yakutat projects, I'm just wondering
from where I sit all the time. I was -- I
was thinking we were putting Band-Aids all
over the place, and I was wondering if we
have a direction or focus. I know at some
point we're going to come to going down the
right road. Every time I look at these
things, we're jumping through Southeast and
we're not taking role in the proper use of
the fisheries. That's what I thought of,
and I thought we should take a look at

1 managing it properly. When the technical
2 review committee goes through this, I was
3 wondering if they view this in a management
4 style also.

5 MR. McBRIDE: Madam Chair,
6 Mr. Kookesh, I think from the technical
7 review committee's -- and just the general
8 staff standpoint, I say they and we are
9 trying to do that; but, I mean, you can
10 always build a better mousetrap, if you
11 will, and always do a better job.

12 I think as far as this program is
13 concerned, I think so far the most -- most
14 of the effort on the part of the staff has
15 been just simply get the program off the
16 ground, and to aim the program correctly, we
17 largely rely on the issues as provided by
18 the Councils.

19 So, basically, in large part,
20 what's going on is the focus is -- you know,
21 if you look at the stock status side of the
22 program, the focus is on sockeye salmon
23 because you said that's where the focus
24 should be, and that's what we're doing.

25 I really think to try to get at
the whole issue of proper management, say,
just dealing with sockeye salmon and looking
at sockeye salmon assessment. Clearly, the
question the staff and Council is going to
face in really not in the too distant
future, if you look at the salmon stock
assessment, which ones of those are
important to continue on into the future.
That's clearly going to be a point of
discussion that the staff's going to have
and we're going to have, we'd like to have
with you, and get your viewpoint on that.

20 But certainly from the staff
21 viewpoint, there will be some of these
22 projects that will make a lot of sense to
23 continue beyond just three years.

24 Just don't put a weir in for
25 three years and walk away with it? If we do
it for all 15 systems? Probably not. Just
the money alone will probably prevent us
from doing that. Try to look at it from the
standpoint of what is good -- does good or
proper management look like. That's going
to be a key question. How do we direct the

1 money in the future, what new work do we
2 fund as opposed to what ongoing work do we
3 fund?

3 MS. GARZA: Is it quick, John?

4 MR. LITTLEFIELD: Yeah, I hope
5 so. I have an administrative question. Is
6 the format of the presentation of the FIS
7 projects going to follow like it is now,
8 we're going to continue to get the projects
9 in the fall meeting? Secondly, I want to
10 have these projects in hand, before I can
11 get -- I really think this FIS packet needs
12 to be in the hands of the Council members
13 way ahead of this time. We're giving this
14 money away. We have to make these our
15 choices, everybody should be well informed.
16 Really just a comment, and then the
17 question: Is this the format we're going to
18 continue to follow?

12 MR. MCBRIDE: Mr. Chairman,
13 Mr. Littlefield, yes, it is. We're on what
14 we consider now a standard cycle.

14 MS. GARZA: So, my comment is it
15 could be that I received a notice of the
16 request for proposal, but I can't remember,
17 so, if you can make sure that I'm on the
18 e-mail list so I can get it, because I do
19 call Tribes and ask them: Do you know this
20 is coming up? Is there anything I can help
21 you with? That, again, should be the
22 obligation of the other Council members is
23 to make sure your communities are aware of
24 it, and that they can apply to funds, and if
25 they have an idea that they don't know how
26 to go forward with, that we have people here
27 that will work with them.

21 And I did ask Dave yesterday if
22 he would get a list of the biologists and
23 their phone numbers and e-mails, and so
24 hopefully the Council will get that so we
25 can know to start bothering.

24 I appreciate that the proposals
25 brought forward did meet the Council
26 preferences or requirements that we duked
27 out last January or February in Anchorage,
28 and I much appreciate the work of the

1 committee.

Thank you.

2 Ten-minute break.

3 (Break.)

4 MS. GARZA: We were wrapping up
the issues on FIS. We did pass a motion to
5 support the recommendations of staff for
FY02. However, it was brought up that we're
6 going to need one more thing before we get
to proposals.

7 It was brought up as a concern
that there were issues with one of the
8 proposals from FY01, the Yakutat TEK
project, so I need to get a little bit more
9 clarification. I'll ask Judy if she would
come up.

10 MS. RAMOS: Thank you. My name
11 is Judy Ramos again. I wanted to talk a
little bit about the agreement that we're
12 going to be signing, and I'm concerned that
we don't have -- we're not going to get
13 enough money to do the work that we expect
to do.

14 One of the products that we're
supposed to do for this is annotated geology
15 of existing literature. That's the
literature that I wanted to tell you all the
16 things that we have to research for this
literature review.

17 So, this project will be
annotated bibliography of existing
18 literature, concerning the TEK.

With particular focus on
19 traditional Tlingit fishing practices,
knowledge of salmon ecology, stream
20 management and strategy, general traditional
knowledge about area fisheries, management
21 of action, use of resources, literature,
research and biographical product,
22 publish -- annotations, full citations, and
short descriptions of content significance.

23 And we're also to do so many
interviews, and I'm concerned that we have
24 \$25 an hour in the budget on Elders, and
that's so many hours, and I don't think that
25 there's enough money in there to pay our
Elders for the amount of hours that we will

1 be asked to get the kind of information we
2 need. We require -- in order to do this
3 project, there will be some travel required
4 to do research and archives in various
5 places, and to interview Elders in other
6 communities, because we don't have a senior
citizen hall in Yakutat, most of our Elders
had to be sent out to Juneau or Sitka or
Anchorage. They had to be near a hospital.
A lot of Elders live in other areas, and I
wanted to interview them.

And I don't think once you take
the indirect out of the -- travel indirect
out of there, there's going to do all the
things that we have to do in order to meet
these objectives for the study.

So, that's my concern that we
need at least -- my assessment, at least
another 15,000 minimally to meet the
requirements that we're expected to do for
the study.

MS. GARZA: Is that 15 or 50?

MS. RAMOS: At least a minimum of
15,000, at the very least, in my idea, to
complete what we need to do the study.

MS. GARZA: Thank you, Ms. Ramos.
So, what I was thinking is we need to figure
out if through the FIS proposal projects,
that there are projects that for some reason
or another may not be completed and if there
are excess funds floating around because of
them, if we can direct those moneys to also
the researcher here in Yakutat to complete
her work.

MS. PHILLIPS: Madam Chair?

MS. GARZA: Patricia?

MS. PHILLIPS: In order to meet
the objectives of the Yakutat Tlingit Tribe
research study, I move that if there are
unused funds from FIS projects, that
additional funds be allocated to the Yakutat
Tlingit Tribe researcher and research.

MR. THOMAS: Second.

1

MS. GARZA: It's been moved and seconded, and it could be included and documentation in the motion that at least a minimum of 15,000 is needed, and if there are additional funds, then additional funds would also be needed.

5

MR. THOMAS: I second that too.

6

MS. GARZA: John?

7

MR. LITTLEFIELD: Is there an upward limit? In other words if a \$250,000 project -- it didn't specify any limits. 15,000, I'm certainly comfortable with that.

9

MS. GARZA: Could you suggest an upper limit, 25, 30?

11

MS. RAMOS: Yeah, 50,000.

12

MS. GARZA: So, if we can dig up between 15 or 50,000 that it will go a long way up for this project.

13

Cal, is this -- if we make this motion, is this a process that could be followed if there's a project that is on the line, and you have money that maybe could be rolled over but could be added to this?

16

MR. CASIPIT: Thank you, Madam Chairman, members of the Council, we have made funding adjustments for projects in the past. We'll be making funding adjustments in the future. I don't think this should present a problem. I mean, if we can find some extra money, I don't think -- I don't think \$15,000 is a big deal. I think we can find it somewhere.

21

We'll do our best.

This is the first time that I've heard that there wasn't going to be enough money.

23

MS. GARZA: Judy, you'll corner Cal at a break?

25

MS. RAMOS: Okay.

1 MR. CASIPIT: It would have to be
2 me and Doug McBride together to resolve
3 this.

3 MR. THOMAS: Madam Chair?

4 MS. GARZA: Mr. Thomas. The
5 reason of this communication gap is,
6 they're -- people in the field need to start
7 communicate and make other guys nervous.

6 Look at them.

7 It was a Parks Service grant. It
8 was Rachel, so you could call her out.

8 There is a motion on the table.

9 MR. LITTLEFIELD: Question.

10 MS. GARZA: Question, signify by
11 saying "aye."

11 COUNCIL MEMBERS: Aye.

12 MS. GARZA: Thank you very much,
13 Ms. Ramos.

13 MS. RAMOS: Thank you very much.

14 We have George Ramos. Do you
15 want to address the Regional Council --
16 Jack?

16 MR. RAMOS: (Speaking in Native
17 language.)

17 I can continue in the same
18 language.

18 First of all, I'd like to say
19 welcome to you, to Yakutat. My name is
20 Ooshtashooeesh (ph.), my first name. I have
21 two more names from the potlatch, after my
22 uncle died, and my fourth name is George
23 Ramos. I am of the Coho Clan. There are
24 five clans in the Yakutat area. I'd like to
25 give you a brief history of where you're at,
and a brief history of our people.

23 There are five clans who used to
24 be landowner clans extending 263 miles,
25 according to my GPS.

24 263 miles of coastal land, each
25 Tribe knew from one mountain to what
mountain from what river to what river was
his. And those other Tribes are known by

1 the crest that they used. The northern
 2 Tribe is the Beaver Clan. From there, the
 3 Humpy Clan or the Copper River people
 4 extended from Icy Bay to the airport. From
 5 the airport is the Brown Bear Clan, and then
 6 there is my clan.

7 North of that is the Thunderbird
 8 Clan. They are the five landowner clans
 9 that used to roam this place and used to
 10 deal with -- used to deal with each other.

11 It was the protocol, when the
 12 ships used to come, big canoes used to come
 13 up to our land, they used to go through a
 14 certain protocol which was the respect and
 15 which was the laws of our people.

16 We deal with each other. If we
 17 had something in our land that the other
 18 clan could use, and we had something in
 19 their land, we could trade off, and hunt in
 20 each other's land, only by agreement.

21 If you went into somebody else's
 22 land without having an agreement, it was an
 23 act of war, because the number one law of
 24 the Tlingit people was land ownership.
 25 Undisputable. This land from here to there
 is mine, and I will always have my knife
 with me. It's called (Native language). It
 was the same status as the minuteman of the
 United States National Guard to protect your
 fellow man at an instant. That's the reason
 they carried them.

But I would like to go through
 the protocol, although it is late.

In the olden days, if somebody
 came to your land, you greeted them, if you
 knew through the grapevine they were coming.
 And our village was on the right-hand side
 out here at that time. After the Russians
 came -- the Russians didn't deal with the
 people of Yakutat right, so they annihilated
 them completely, but I would like at this
 time to greet the people from the other
 communities as my forefather had done.

Every time the people from
 Charlotte used to come up here in the boats,
 we used to like to see them, because they
 had bigger boats and better canoes. It was
 a tradeoff.

Tsimshian people used to come
 here. When they came to our area, there was

1 three days, three days of celebration,
2 dancing and singing, and then you could take
3 your trade partner anyplace.

4 But, yet, when they first came to
5 your country, there was a protocol they went
6 through.

7 And I would like to ask anybody
8 of Native American descendant to come up
9 here and join me, anyone from the different
10 communities, and any of the communities,
11 would you please come up and join me here?

Sitka, Ketchikan, please.

2 In the olden days, they could be
3 coming to tell the people of the Tsimshian,
4 the people from the Haida, the people from
5 the different communities of Southeast are
6 coming to your area, and we were prepared
7 for them. It is always known when the big
8 canoes came we know that the canoes never
9 came to the beach because you were coming to
10 somebody else's land. Even if you know who
11 was in that canoe, even if those people had
12 come back time after time to trade with you,
13 you still went through the protocol. The
14 protocol is the canoe will stop up in the
15 waters, and they will line up on that. And
16 the person who is the head man, the person
17 they call the onyadi (ph.) who is descended
18 of the people who own the land would come
19 down, and he would ask them, "Where does
20 this boat come from?" And they would answer
21 him. "Who are you people?" And they would
22 answer them.

23 And then he would ask the third
24 one, "What are you going to do in our land?"

25 This was the protocol among our
people.

If you met on the trail going up
Alsek, whosever land you met on, you would
call up, "Are you people of the Native
descent?"

"Where do you come from?" Or
"What Tribe are you? And what is your
intent in our land?" This was the protocol.

After the boats are recognized,
then they would put an eagle down on the
water in front of them, and you would dance
for them. If you met on the trail in the
Dry Bay, they would bring them down to the
community house as we have here and they

1 would bring out of those peace dances,
2 headdress dancers. You would be on one side
3 and we would be on the other side, and the
4 dancers would come out, and they would
5 dance. And at a certain time, they would
6 bow their head and the eagle would come out
7 signifying that there is going to be peace
8 between you and our Tribe. That's what it
9 means.

10 Some of you have come up to your
11 grandfather's country. Like I say, the
12 Haidas have been up here, Tsimshian have
13 been up here, someplace or another. They
14 walk on the other side. You had to walk on
15 the grandfather's tracks, and it was one of
16 the greatest things. I heard one man said,
17 "I am very proud to be here because I am now
18 walking on my grandfather's tracks"; and I
19 welcome you.

20 I do not have a peace dancers.
21 However, I would like to present each one of
22 you with a feather from the wings of an
23 eagle. That signifies that as long as you
24 are in my land, you will be under protection
25 of our wing and no harm will come to you,
and I welcome you to our land. It is one of
the most beautiful lands. Believe me, I've
been on both sides of this world.

15 This is -- what you take from
16 this place is something that is dear to our
17 heart and we have been working on it. Some
18 Tribes have been vanished working on the
19 same things that you're working on it.
20 Some -- it is a way of life. It is not
21 subsistence. It is a way of life.

22 So, I thank you very much, and I
23 hope that you have a safe journey home.

24 Thank you.

25 MS. GARZA: As a leader and an
Elder of Yakutat, as the Haida people here,
we much appreciate being formally welcomed
on to the land, but we've been wondering if
we've been welcome here for the last few
days. We much appreciate for the time you
come here to be on your lands. And we thank
you for welcoming us here.

MR. LAWSON: If my uncle Herman
Kitka were here, he would probably say this

1 better than here. My uncle's father is your
2 clan. We appreciate our father welcoming us
3 to your land. We appreciate your gift, and
we appreciate your offer of peace. Gun nux
cheesh. Gun nux cheesh. Gun nux cheesh.

4 MS. RUDOLPH: I would like to
respond, too. (Speaking Native tongue.)
5 I just responded to him as an
Eagle. He's my father's people, so I had to
6 respond in our Native tongue, thanking him
for welcoming us to Yakutat.

7
8 MS. RAMOS: I would like you to
know that my grandfather is of the Brown
Bear Clan and they are the people who
9 migrated up here to Yakutat over 1,000 years
ago. I know that for sure, because Mt.
10 Edgecumbe was still a volcano when they came
through. And we have lived here and all the
11 things around us have a spirit to us, all
the things in the sea, all the things in the
12 sky. And we have lived them for time
immemorial, and we thank you. What we do
13 here now, like I say, I been -- I know we
will do a better job.

14
15 MR. THOMAS: George, on behalf of
the State and Federal Governments that are
working on subsistence management, we want
16 to thank you for your formal welcome, for
your introduction of our cultural way of
17 greeting, and for showing us the importance
and the meaning of proper protocol in
18 greeting on other grounds.

I'm sure it's meaningful to
19 everyone here, even the people that are not
of Native decent. It's a another lesson in
20 learning some of the cultural. Thank you
very much. Gun nux cheesh.

21
22 MS. RAMOS: Gun nux cheesh.
Thank you.

23 MR. THOMAS: It will take me a
few minutes to get my composure.

24
25 MS. GARZA: It has been welcomed
in the proper manner in this community that
is so incredibly traditional. It feels good

1 to know that we are wanted here, and they
2 consider the work we're doing is important
to maintaining their cultural ways of life.

3 Thank you very much, Mr. Ramos.
4 We have three more, four more
proposals. We have Proposal 30, which we
5 funded and I almost forgot. We have
Proposal 41, and it looks like Proposal 42
and 43 are combined.

6 Do we wish to go back to 30 or
hit the 40s?

7 So, Proposal 30 is before us.
8 Sockeye salmon and coho salmon,
closure to non-Federally qualified users and
to establish harvest regulations.

9 Is there a staff report?
10 Okay. I flipped to the wrong
page, under D, on page 18, 30, Proposal 30,
Hamilton Bay River and Kadake Bay River are
11 closed to the harvest of steelhead except by
Federally qualified subsistence users.

12 Staff report?

13 MR. CASIPIT: Ms. Chairman, Cal
Casipit, subsistence staff biologist for the
Forest Service.

14 We gave staff presentation
yesterday. I believe Fish & Game gave their
15 comments as well as the written public
testimony was read in the record.

16 If I remember right, the Council
was in deliberations when it was tabled.

17 MS. GARZA: So, Mr. Littlefield,
18 you asked for it to be deferred until after
35.

19 MR. LITTLEFIELD: That's correct,
20 after 35, is FP01-30 on the table at this
time.

21 MS. GARZA: If you make such a
22 motion.

23 MR. LITTLEFIELD: I'd like to do
24 so.

25 MS. GARZA: And what is your
motion?

1 MR. LITTLEFIELD: Madam Chair,
2 Proposal FP01-30, I would like to offer
3 substitute language for the second paragraph
4 under No. 1, on page 19.

5 I've got page 19. Where is that
6 again?

7 How should the new regulation
8 read? I have substitute language, and the
9 language is you may take steelhead trout in
10 Hamilton River and Kadake River waters under
11 Federal jurisdiction under the terms of the
12 Federal subsistence fishing permit, period.

13 MR. MARTIN: Madam Chair, I'll
14 second that motion.

15 MS. GARZA: It's been moved and
16 seconded for substitute language. My
17 concern is that the substitute language was
18 under the staff page of the proposal, not in
19 the proposed regulation.

20 John?

21 MR. LITTLEFIELD: Madam Chair.
22 The proposer had a proponent here, Mike
23 Jackson, spoke to this and he wanted to
24 close the harvest except to Federally
25 qualified subsistence users, and I told him
that we would have this discussion on -- on
FP02-35. It was very similar. He said that
he thought that the language that I just
proposed, whatever we decided was adequate
from 35 was acceptable to him. The
difference being here, I think, his language
says except by Federally qualified
subsistence users, and our difference is by
Federal permit. We struck that. The new
language strikes that requirement, and we
did not close it due to insufficient data at
this time.

26 MS. GARZA: So, John, if you're
27 looking at the proposed regulation, it will
28 read something like: Federally qualified
29 subsistence users may harvest steelhead
30 under a Federal permit?

31 MR. LITTLEFIELD: I'll read it,
32 Madam Chair.

33 FP01-30: You may take steelhead

1 trout in Hamilton Bay River and Kadake Bay
2 River waters under Federal jurisdiction of
3 the terms of the Federal subsistence fishing
4 permit.

5 MS. GARZA: So, John, I just need
6 to make it clear, that is substitute for the
7 proposed regulation on page 18?

8 MR. LITTLEFIELD: I'm on page 19.
9 I rarely look through these -- I'm on page
10 19 where it says how should the new
11 regulation read, and that's where I've
12 offered the substitute language. I know for
13 the record page 18 talks about Kodiak Bay.
14 That's not where we are.

15 MS. GARZA: Okay. So page 18 is
16 the executive summary, the proposal is on
17 page 19, Item 1, how are you proposing to
18 change, below that it says how should the
19 new regulation read in bold, so that is
20 where you're substituting the language?

21 MR. LITTLEFIELD: That's correct
22 Madam Chair.

23 MS. GARZA: Thank you very much.
24 The motion to substitute the language has
25 been seconded.

Is there discussion?

MR. THOMAS: Question.

MS. GARZA: Question has been
called for. All in favor, signify by saying
"aye."

COUNCIL MEMBERS: Aye.

MS. GARZA: Opposed?
The motion -- so the language has
been substituted. Do we have to vote again,
or is that it?

MS. WILSON: Madam Chair?

MS. GARZA: Marilyn?

MS. WILSON: We need to vote on

1 the main motion to accept the proposal next.
2 Because we were under discussion and we
3 moved to discuss it after 35.

4 MS. GARZA: We took care of 35 a
5 while back, and I think that we're okay
6 because Mr. Littlefield made it as a
7 substitute motion, so the actual proposed
8 regulation was never before us.

9 So, we did take action on
10 proposal FP01- 30 substituting the language
11 that Mr. Littlefield provided that that
12 would be the proposed regulation.

13 So, we are done with --

14 MR. THOMAS: Madam Chairman?

15 MS. GARZA: Mr. Thomas?

16 MR. THOMAS: Title VIII, Section
17 1-14 says that members of the Council shall
18 not judge the discretion of the presiding
19 officer.

20 MS. GARZA: So, rolling right
21 along, we're on to Proposal FP02-41,
22 Eulachon.

23 Rob, your staff analysis?

24 MR. LARSON: Yes, Madam Chair, my
25 name is Bob Larson. I'm the zone biologist
for the Forest Service.

And proposal FP02-41 was
submitted by the U.S. Forest Service, and it
requests that a permit be required for
subsistence fishing for eulachon in the East
Behm Canal. This would provide information
necessary for management of this resource.
FP02-42, and FP02-43 are related and provide
for restrictions to the amount of eulachon
harvested by subsistence users. I assume
you'll take those up next.

If you look on the board, you see
some highlights of the proposal. First it's
the only proposal before you that's been
submitted by a Federal agency. We feel that
it's required to have a permit for eulachons
that document the subsistence harvest. The
first harvest we've had under subsistence
regulations occurred in this spring in 2001.

1 Previous to 2001, the eulachon fishery was
2 prosecuted primarily under the terms of a
3 commercial fishing license. There was a
4 stock collapse in 2000 and in 2001 and the
5 fishery was closed. There was no commercial
6 harvest in 2000 or 2001. 2001, the
7 subsistence fishermen approached the Forest
8 Service and we granted them a permit to --
9 not a permit, but we agreed to their
10 contentions that they could go ahead and
11 prosecute this fishery under our
12 regulations.

13 In a nutshell, eulachon are --
14 scientific name comes from the Greek and it
15 means rich fish of the Pacific. Those of us
16 who are familiar with eulachons, they're a
17 small oily fish, very nutritious, and they
18 occur in mainland rivers throughout the
19 Northeast Pacific, in the springtime, late
20 winter. During that time of year when
21 they're really needed by local residents,
22 highly appreciated.

23 They are about three or four
24 years old when they first return. They have
25 a fairly high mortality when they're in
river. However those that don't die during
that time return again to spawn.

There is a long-term commercial
fishery, and we're speaking right now to the
Unuk River. There's a long-term commercial
fishery on the Unuk River. This commercial
fishery is a little different than a normal
pink salmon or chum salmon trawler or net
fishery in that the residents and the State
has viewed this fishery as a means of
providing for a mechanism to catch these
fish and in an efficient manner allow some
exchange of money to make it worth the
fishermen's while to go do it and distribute
them to residents of Ketchikan.

If you look on Table 1, you can
see the results of a historical catch.
There's evidence that this catch occurred
well before 1969, but that's the time in
which our records start. There's evidence
and discussions to at least 1960.

In 2001, the commercial fishery
was closed, subsistence fishery took 18,000
pounds of hooli- -- eulachon, and maybe
we'll take the next few slides just to show

1 what a eulachon looks like. You'll see
2 there's a male on the top and female on the
3 top. I might add these slides are provided
4 courtesy of the Department Of Fish & Game,
5 taken by Scott Walker, biologist in
6 Ketchikan.

7 So, you'll see there's a male on
8 the top and female on the top, some more
9 photological differences. You can see some
10 fish, when you see them, you can feel them
11 and touch them and tell the difference
12 readily. They get to be an unknown age,
13 really, because of this ability to return.
14 It becomes difficult to read their scales.

15 If we orient ourselves to the
16 Unuk River, you can see there's a map in the
17 draft analysis on the north side of the
18 mouth of the bay, there is a location called
19 the Eulachon River. This is the mouth of
20 the Eulachon River, looking upstream. Most
21 of the main arm of the Unuk extended off of
22 the picture to our right. You're looking up
23 at right angles to the main stem in the
24 Eulachon River, it's in this neighborhood,
25 to the right of the picture or ahead of the
26 picture is where most of the fishery
27 actually occurs.

28 This is a picture of a portion of
29 the main stem of the Unuk River. This is,
30 in fact, a pool where much of eulachon
31 harvest occurs. It's ideally located,
32 immediately above the confines of the
33 Eulachon River or Eulachon Creek depending
34 on who you talk to. You can see at this
35 time of the year, the Unuk River is not
36 completely clouded over like it is later on
37 with the glaciers start to melt. There's
38 more of the Unuk River to the right. Very
39 typical mainland river systems.

40 We do not have a good record of
41 personal-use fishing on the river. Most of
42 the fishing is part of the commercial
43 fishing effort. There's a picture here of a
44 personal-use fishermen from this year, and
45 his method of take is to hold a hoop net on
46 the bottom and raise it up once the fish
47 swim over the top of it, and have them in
48 the manner -- eulachon have a small head and
49 they can put their head in the net and get
50 gilled. By the same token, they can move

1 through.

2 This is this person's catch for
the day.

3 A view of, you know, the inside
of that bucket showing the fish in the
4 aggregate.

5 MS. GARZA: You're making us
hungry.

6 MR. LARSON: Yes, yes.

7 Our proposal is to continue the
documentation of the traditional eulachon
fishery that's been accorded under the
8 commercial fishing regulations. We're not
aware of what the State is going to do in
9 regards to commercial fishing.

10 There is a conservation problem
there or a concern that we're really unable
to identify. We have fairly good
11 documentation that during 2000 the stocks
were at some minimum levels, perhaps
12 nonexistent. Very small, much less
eulachons than what we would like to see up
13 there.

14 In 2001, although we had Scott
Walker in particular, and there was another
Forest Service employee that was up to
15 monitor the fishery and to look at those
stocks, it's obvious to us that having an
16 assessment is going to be a difficult
problem to really come to grips with. We
17 have some ideas that we're working on, but
we do have -- we do have a need to document
18 and to maintain this record of catch.

19 On the permits, we do very simple
things. We'll ask for when they go fishing,
the amount of fish harvested, the location
20 of the harvest, and what they did with the
harvest if they kept it or they sold it.

21 So, our conclusion, then, is that
we need to have a mechanism to monitor the
22 subsistence fishery if that fishery is going
to, in fact, take the place of the
23 commercial fishery. And we don't know what
the future will bring. If that's something
24 that's going to continue, we have to have a
mechanism to monitor it, and our proposed
25 regulation is to adjust -- see if our part
242.27(i)13III, you must possess a Federal

1 subsistence permit to take eulachon from any
2 stream flowing into fishing Sections 1C and
3 1D. Our regulations referenced East Behm
4 Canal. If we identify the body of water, we
5 use fishing sections and not names that are
6 undefined.

7 That's our recommendation.
8 Thank you.

9 MR. THOMAS: Madam Chair?

10 MS. GARZA: Bill and then John?

11 MR. THOMPSON: Thank you. I
12 intend to support a motion to -- we still
13 got to go through --

14 My comments will be more
15 appropriate later.

16 Thank you.

17 MS. GARZA: Mr. Littlefield?

18 MR. LITTLEFIELD: Thank you,
19 Madam Chair. I'm looking on page 217,
20 that's the draft staff analysis. It lists
21 existing regulation, blah, blah, blah. Is
22 that correct? Did we take any action to
23 change any of that language at this meeting?
24 Is that the correct language at this time?

25 MR. CASIPIT: That's correct.

MR. LITTLEFIELD: Is there in
the -- the word "Federal" in front of that
subsistence fishing permit?

MR. LARSON: I guess I can answer
that. No, I don't think that you could
change that, and that is why, you know, in
our definitions the definition of
subsistence fishing permit actually refers
to a State permit, and we did not want
Federal subsistence fishermen to go to the
State. We wanted a Federal permit.

MR. STOKES: Madam Chair?

MS. GARZA: Dick?

MR. STOKES: I said it says East

1 Behm Canal or Burroughs Bay, and you're
2 restricting these, and Wrangell has two
3 rivers where there's eulachon, the Stikine
4 and the Bradford River. This passes, it
5 doesn't say anything about a permit up
6 there.

7 MR. LARSON: Madam Chairman,
8 that's correct. We have been unable to
9 identify a need to require a fishing permit
10 without this proposal for the rest of
11 Southeast outside of fishing Sections 1C and
12 1D, you will be able to engage in
13 subsistence fishing for eulachons under
14 either State or Federal regulations without
15 a permit. That is our intention.

16 MR. STOKES: Thank you.
17 But I'd requested of this body a
18 study on the eulachon from the last two
19 years has been a decline, and it was
20 absolutely declined last year.

21 MR. LARSON: If you look in our
22 staff analysis, you will see that I've made
23 reference to the Stikine River and you're
24 actually correct. It's not only the
25 Stikine, down to the Columbia River, we're
26 seen a general decline of the number of
27 eulachons down the coast on the coastwide
28 basis, especially in the year 2000. Those
29 streams that are close within -- certainly
30 in the Northern Columbia and up the Stikine
31 River had a general stock collapse, but
32 because of the lack of the commercial
33 fishing effort, we don't think that we need
34 to force the use of a fishing permit to
35 catch eulachons outside of the Unuk River.

36 MR. STOKES: Thank you. I didn't
37 think we needed a permit anyway.

38 MS. GARZA: Mr. Littlefield?

39 MR. LITTLEFIELD: Thank you,
40 Madam Chair. C and T users in the
41 Southeast, have a positive C and T use, can
42 you summarize who those are?

43 MR. LARSON: Yes, Madam Chair, I

1 should have this memorized, I wrote it.
2 There are specific C and Ts for areas within
3 Southeast. The Unuk River is -- can be used
4 by rural residents under Federal
5 regulations, yes.

6 To follow up a little, in fresh
7 waters. In marine waters, it's part of the
8 nonsubsistence use area.

9 MS. GARZA: Are there any ADF&G
10 comments?

11 Mr. Kelley?

12 MR. KELLEY: My name is Scott
13 Kelley. I'm the regional management
14 coordinator for commercial fisheries
15 division of Southeast Alaska. State
16 supports this proposal and concurs with
17 Federal staff comments. One comment that I
18 would add is that the Alaska Department of
19 Fish & Game did submit an agenda change
20 request to the Alaska Board of Fisheries.
21 That Board took it up at their work session
22 last week. They did agree to take up
23 customary and traditional use findings at
24 their board meeting in Anchorage on the week
25 of January 7th.

26 MR. STOKES: Madam Chair?

27 MS. GARZA: Dick?

28 MR. STOKES: We have one or two
29 individuals that do fish and they sell, but
30 they don't sell a great deal. Were they
31 required -- what do they on -- what are they
32 required to have?

33 MR. KELLEY: Madam Chair,
34 Mr. Stokes, under the current commercial
35 fishery regulations, they -- any commercial
36 harvester must have commercial fisheries
37 entry Commission permit, and also they need
38 to register the Alaska Department of Fish &
39 Game prior to fishing. The registration
40 deadline is March 1st.

41 Madam Chair?

42 MR. STOKES: Thank you.

1 MS. GARZA: Scott?

2 MR. KELLEY: I would add one
3 other thing, Madam Chair, Mr. Stokes. Once
4 those permits are in place and once the
5 catch is going to be distributed. It's
6 typically done with a catch and seller
7 permit, as the fish are brought back to the
8 dock and they're going to be sold
9 unprocessed, the Department of Fish & Game
10 does require a catch and seller permit, so
11 they can get the tickets.

12 Madam Chair?

13 MS. GARZA: That is for a
14 commercial harvest?

15 MR. KELLEY: Yes, ma'am.

16 MS. GARZA: But under C and T we
17 have customary trade?

18 MR. KELLEY: Madam Chair, there
19 is no customary and traditional use
20 determination for eulachon on the Unuk
21 River.

22 MR. CLARK: That's under the
23 State system.

24 MR. KELLEY: Under State
25 regulations.

MS. GARZA: Cal?

MR. CASIPIT: Under State
regulations. What I was trying to say,
under Federal -- under Federal regulations
there are provisions for customary trade,
and the fishery in 2001 was done under
Federal subsistence regulations. Any
fisheries that occurred there between
2004 -- 2000 or before was done under State
commercial fisheries regulations. So, the
two are a little different.

MS. GARZA: Mike, then Harold?

MR. DOUVILLE: Thanks, Madam
Chairman. On 219, there's a paragraph in

1 the middle that says: All rural residents
2 of Southeast Alaska and Yakutat are included
3 in the customary and traditional use
4 designation for eulachon. A Federal permit
5 is not required to participate in a Federal
6 subsistence fishery, nor are there any
7 additional fishery conditions or reporting
8 requirements.

9 Is that what you're talking
10 about?

11 MR. LARSON: Madam Chair, that's
12 it exactly. If you look -- there are
13 specific C and Ts for some of the
14 communities. The default C and T for the
15 Unuk River -- if we were to respond to Dick
16 Stokes' comment about the selling of
17 eulachons specific to the Stikine River, you
18 know, it's done under a commercial fisheries
19 permit. They have not engaged in a
20 subsistence fishery in that regard.

21 One of the things I've been
22 encouraging to at least discuss or mention
23 is whether or not the customary and
24 tradition use findings that is -- has
25 anything to do with eulachons can really
26 make a provision for them, see where they
27 stand in that regard.

28 But, yeah -- I think we've
29 answered it correctly here. But it's a
30 little bit -- maybe a little confusing when
31 you mix the commercial fishing aspect with
32 the historical use pattern with a
33 subsistence fishery that has only occurred
34 in one instance.

35 MR. THOMAS: Madam Chair?

36 MS. GARZA: It was Harold and
37 then Bill?

38 MR. MARTIN: Thank you Madam
39 Chair. Mr. Kelley, does the State have a
40 process for C and T findings or do they just
41 refuse to recognize C and T?

42 MR. KELLEY: Madam Chair,
43 Mr. Martin, as I indicated, the Alaska Board
44 of Fisheries does have oversight of
45 customary and traditional use findings in

1 the State of Alaska. At this time there are
2 no C and T findings for eulachon in this
3 area. There are for other areas in
4 Southeast, and the Alaska Department of Fish
5 & Game did submit an agenda change request
6 asking that the Board of Fisheries take this
7 up out of cycle to specifically look at
8 customary findings for eulachon on the Unuk
9 River, and they will do that.

10 MR. MARTIN: What is the problem?
11 Does the community have to have a certain
12 process to go to be qualified for C and T?

13 MR. KELLEY: Madam Chair,
14 Mr. Martin, if there is customary and
15 traditional use finding, what that does is
16 it enables the Department of Fish & Game to
17 have a subsistence fishery. Because there's
18 no C and T finding, there is no subsistence
19 fishery for eula -- hooligan, on the Unuk
20 River. There is no limits at all under
21 Chapter 77, and if there's -- if the Board
22 finds for C and T determination on the Unuk,
23 then Alaska residents can go and catch
24 eulachon there under subsistence
25 regulations.

Madam Chair?

15 MS. GARZA: So the issue here is
16 jurisdiction. If we have a Federal permit,
17 then in what instance or at what point in
18 the river do we require a State subsistence
19 permit for eulachon? Is that one of the
20 concerns?

Rob and then Cal?

19 MR. LARSON: Madam Chairman,
20 maybe a little backup when we look at the
21 regulations, that the State residents,
22 especially State residents of Ketchikan, can
23 go to the Unuk River and fish on there.
24 Right now, they're able to catch eulachons
25 in the Unuk River under personal-use
26 regulations. One of the provisions of a
27 personal-use fishery is that it is unlawful
28 to share those fish outside of your
29 immediate family. And that is one of the
30 definitions of personal use fishery.

That is not the provision of a

1 subsistence fishery. A subsistence fishery,
2 you're able to share them more widely, and
3 that is the fact, the reason why the State
4 wants to use -- go to a subsistence fishery,
5 instead of a personally use fishery. It's
6 the sharing use that's been there.

MS. GARZA: Thank you, Rob.
Cal?

MR. CASIPIT: Thank you,
Ms. Chairman, members of the Council. I
just wanted -- the question of jurisdiction
was brought up a few minutes ago. This
fishery occurs in Federal jurisdiction, no
question about it. When you see those
pictures up there with alders growing on the
bank of the river, you can be assured you
are in freshwaters, and this fishery is
occurring in Federal jurisdiction.

MS. GARZA: Bill, Dick, Fred?

MR. THOMAS: Okay. A couple of
things. I'm really happy to hear the
exchange -- the State is going to at least
take a look at the C and T for that area.
And I'd like to make some reference to the
expression of stock crash, last year was it?
Stock crash?

Well, you know, I talked to the
fishers that go up there every year and
before them was their ancestors. They're
actually descendants of people that have
been harvesting eulachon at that location at
least 200 years. And it's been practiced
all the time. I can remember when pockets
of eulachon were a nickel a bucket. When,
they went up to a dime I couldn't buy them
because I thought 100 percent inflation was
just too drastic -- drastic. That was the
reaction of everybody, and the same thing
applied today as then. The nickel a bucket
didn't put the fishers in a posture of
retirement because of the money they made
from selling eulachon. They were allowed to
maintain their nets, allowed to maintain
their boats, regain what it costs to make
the trip and this type of thing. Well, 200
years later, we're done with the wooden

1 boats and the gas engines. So, now we're
2 equipped with vessels that are made out of
3 synthetics. They're equipped with
4 life-saving technology, electronically, if
5 they get in trouble, they can pick up a
6 phone and call for help right away. All
7 this is part of having a boat now.

8 So, whenever they have that, all
9 that had the reflection on the cost of
10 operating that boat.

11 Okay? So, what is it this year?
12 I think it comes out to be about a dollar a
13 pound for the eulachon. I think I'm within
14 a dollar, when I say a dollar a pound.

15 Okay. So this unit got 18,000
16 pounds. Under that, they probably sold
17 probably 14,000 pounds, because they
18 processed others for making oil for their
19 family and other ways of preparing the
20 eulachons. Okay. Now, for some more
21 history, the first commercial harvest in
22 that area of 1993 -- wasn't it?

23 Do you know?

24 MR. KELLEY: Madam Chair,
25 Mr. Thomas, we have commercial data harvest
back to at least 1969.

MR. THOMAS: You do?

MR. KELLEY: Yes.

MR. THOMAS: Was there a hiatus
over commercial fishing there?

MR. KELLEY: From 1969 to 2000,
most of the year issued by the Department,
one, two, three, maybe four occasionally.
In 1998, we issued 10 permits, that's what
initiated the Department's -- for a long
time, there was very limited interest and
the Department had no concerns. It's when
we started getting calls from -- for
example, aquariums, people that want
sturgeon bait on the Columbia, suddenly we
went to issuing a long-term record of two or
three permits, four permits, 10, 11 or 12
permits. That's when we realized that we
were wide open to a serious overharvest.
That's what initiated the Department to

1 implement, take before the Board of
2 fisheries a management plan to cap the
3 harvest.

4 Madam Chair?

5 MR. THOMAS: To follow up, if I
6 may.

7 Thank you, now you're refreshing
8 my mind, because for those years, the same
9 people I'm talking about now that are
10 fishing on your Federal subsistence permit
11 were required to have a commercial license
12 from the State, okay.

13 That's how that worked.

14 So, the people fishing hasn't
15 changed. The system has changed. And,
16 okay, so they opened it up, the commercial
17 fisheries expanded in about 1993. There was
18 10, 12 boats up there. From each one of
19 those boats they had about four to five
20 tender boats. And the guys from Metlakatla
21 were complaining that as soon as they got up
22 there, they had the outboard running
23 everywhere, all over that whole system, and
24 you know, there's a technique to harvesting
25 that kind of fish, and streaming around
26 there in high-speed boats isn't one of them.

27 Okay. So the reason there's been
28 the commercial fisheries up there is because
29 the processor in Ketchikan saw all this
30 interest in people lining up on the docks to
31 buy hooligan to take home. They figured,
32 I'm missing my bet here. So they're able to
33 get that expanded. They went out and caught
34 fish and weren't able to sell them because
35 nobody would buy from them. They packaged
36 them up and sold them for like \$3 a pound.

37 So that's what happened there.
38 The commercial market collapsed after one or
39 two seasons. Well, actually the first
40 season, but they thought it would pick up
41 and it didn't.

42 So, those are some historical
43 events that happened with this fishery. The
44 historical trend and the historical profile
45 of people that are selling to bring -- to
46 sell to public on the dock has not changed.
47 That is still intact, and last year it was
48 an unfortunate situation. Things became
49 awkward. That's history. We hope we won't

1 repeat that.

2 I just wanted to offer those
3 historical contributions to what happened
4 with all the fisheries on the Unuk. So, in
5 summary, whatever happened with commercial
6 fisheries, subsistence use fisheries, all
7 happened by the people that have been doing
8 it for years. It's just that program
9 changed, management scheme has changed,
10 different things in management happened.

11 So that was the result for that.

12 That was a very -- I'm still
13 going to support it, it's a very good
14 proposal.

15 MS. GARZA: The simple request of
16 this proposal is to establish a Federal
17 subsistence permit to take eulachon from any
18 stream into fishing sections 1C and 1D. I
19 ask that any comment be specific to this.
20 We have two more proposals dealing with
21 eulachon, and I've got a room for tonight,
22 unless we move along for it, you guys are
23 going to have to look for a room and check
24 back in.

25 I think it's important to have a
Federal subsistence permit because we need
to document our uses, and we can tell from
Table 1, that starts on page -- 223, without
that permit we simply have no estimate of
how valuable this resource is to C and T, to
rural residents, and to Ketchikan residents
who are not considered C and T.

So, if there are any questions to
either of these regarding the regulation.

26 Marilyn?

27 MS. WILSON: Madam Chair, if we
28 pass this proposal and recommend that it's
29 a -- would the people of Ketchikan, the
30 subsistence users be able to go fish?

31 MS. GARZA: Marilyn?

32 MR. LITTLEFIELD: No.

33 MS. GARZA: Ketchikan people
34 don't have -- are considered rural under
35 Federal regs. Ketchikan could be considered
rural if State has C and T, but the issue

1 with Ketchikan is just our ability to walk
2 down that dock and buy it. So I don't plan
3 on going up the unit in an 18-foot skiff and
4 get hooligan. We want to know people can go
5 get the eulachon and come back and sell to
6 it me.

7 MS. WILSON: This proposal --

8 MS. GARZA: This proposal allows
9 for people who do want to go up in a skiff
10 to continue to do this but with a permit so
11 we can start to document harvest levels.

12 MR. THOMAS: Qualified users.

13 MR. STOKES: Madam Chair?

14 MS. GARZA: Dick?

15 MR. STOKES: I do not have a
16 jurisdictional map of Bradfield Canal, but I
17 do have one of Stikine, and all of our
18 subsistence fishing is done above this
19 marker, above this line.

20 So, under the personal use
21 permit, I mean, is this required or what do
22 we need, because the individual that I
23 referred to earlier fished here and they
24 sell this. I mean, but are they still going
25 to be able to do this?

MS. GARZA: I think what Rob had
said was that their assessment was that
there was no need for one because the stock
is in better condition than Unuk or it
appears that there is no need.

MR. LARSON: My point, Madam
Chairman, was that there is no -- the
commercial fishery that Dick Stokes is
referencing is very small. It's not the
same magnitude and certainly not the same
magnitude in relation to the size of the
stock on the Stikine River. I want to
mention it -- I can't speak for the State,
but I would think that, you know, a
commercial fishery under the same magnitude
as they have this 5,000-pound cap that they
work under may be possible to allow the

1 catch and sharing of that stock.

2 If the State Board of fisheries
3 accepts this agenda change request and acts
4 on it according to what the State Fish &
5 Game wants them to, then they would not --
6 the person in Wrangell or Petersburg would
7 not be fishing under personal-use
8 regulations anyway, or are they prevented
9 from sharing resource. They would be
10 fishing under State subsistence regulations
11 which would allow the sharing of that
12 resource. So, we don't feel as a Federal
13 staff that right now the situation we have,
14 use patterns we have on the Stikine River
15 requires a permit. We think it requires a
16 permit until line with C and T.

17 MS. GARZA: And I don't think
18 through amendment that we should either
19 include Stikine if that's your interest,
20 because that has not gone out to the public.

21 This proposed regulation is
22 specific to one C, and one T.

23 Mr. Kelley, are you speaking to
24 regulation?

25 MR. KELLEY: Madam Chair, no, but
I would like to respond to Mr. Stokes'
question, if I may.

Your specific question,
Mr. Stokes, if the State does -- if the
State and Alaska Board of Fisheries does
have a customary and traditional finding on
Stikine, could fishermen that have done this
in the past, harvest fish and sell them
under the State subsistence reg? Is that
the question? If that is the question, the
answer is no. Subsistence harvested fish
under State regulations may not be sold.

Madam Chair?

MS. GARZA: Cal?

MR. CASIPIT: Madam Chairman, I
know you don't want us to chase rabbits, if
I was to respond to this, I'm sure we would
be off chasing more rabbits, I'll keep my
mouth shut.

MR. STOKES: Madam Chair?

1

MS. GARZA: You speaking to the
proposed regulation, Mr. Stokes?

2

3

If we have issues with Stikine,
that is not at issue. You guys need to talk
about it at break.

4

5

MR. STOKES: Okay. This will be
my last question.

6

(Laughter.)

7

MS. GARZA: You're blowing me
off.

8

(Laughter.)

9

MR. STOKES: As I stated, all our
subsistence fishing is done above these
markers, and then they will be able to take
a few hundred pounds. It's a very small
fishery, and they take it to Petersburg or
wherever to sell, and they sell it to
different individuals who would probably be
subsistence users, but they do sell it.
So -- this is my question: Who is -- whose
responsibility is it? Under whose
authority?

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MS. GARZA: I think the response
to that is still out there and it's still a
long argument between the State and Feds,
that's why Cal had chose not to respond,
because we could argue that it's Federal,
the State could argue that it's State. I
know, I know, I know. I'm going to say
there's no response to it, because we're
dealing with Proposal 41 that requests a
Federal use permit for hooli- -- eulachon
in Sections 1C and 1D. And the question
that you're asking, Dick, could take weeks
to answer because there has been no
conclusion to the answer that is acceptable
to all and we have differing opinions and
I'm not sure where that would go. We can
add it to the end of the agenda. We've got
to finish these proposals.

Mr. Littlefield, will you speak
to the regulation?

1 MR. LITTLEFIELD: Yes.

2 MS. GARZA: Go ahead.

3 MR. LITTLEFIELD: I want to add
4 that our biologist has said that these
5 waters that are in this regulation are
6 clearly the -- the fishery is clearly in
7 Federal waters, should be no doubt what that
8 means, Federal waters.

9 MS. GARZA: Are there other
10 agency reports on Proposal 41?
11 Tribal comments on Proposal 41?
12 Are there public comments on
13 Proposal 41?
14 We have before us for Council
15 deliberation --

16 MR. CLARK: Madam Chair?

17 MS. GARZA: We have written --

18 MR. CLARK: Two written public
19 comments, both in support; one from Nancy
20 Hillstrand in Homer, and the other from
21 United Fishermen of Alaska.

22 MS. GARZA: Thank you, Fred. We
23 now have Proposal 41, proposed regulation is
24 up here on the screen: You must possess a
25 Federal subsistence permit to take eulachon
from any freshwater stream flowing into
fishing Sections 1C and 1D.

Bill, Mike, Marilyn?

MS. WILSON: I want to qualify
for the question.

MS. GARZA: We have to make the
motion.

MR. THOMAS: Madam Chair, I move
that we adopt the staff recommendation with
modification.

I'll read that: Proposed
regulation 36 CFR part --

MS. GARZA: Could you tell us
what page you're on?

1

MR. THOMAS: 221, bottom of 221.

2

Okay. 242.27(i)13III: You must possess a Federal subsistence permit to take salmon, trout, or char. You must possess a Federal subsistence permit to take eulachon from the fresh- water stream flowing into fishing Sections 1C and 1D.

3

That's my motion.

4

MS. GARZA: Mr. Littlefield, are you a second to that?

5

MS. RUDOLPH: Second.

6

MS. GARZA: Is there a second?

7

MS. RUDOLPH: I seconded it.

8

MS. GARZA: Mary seconded that.

9

So, we have before us an amendment and amended proposal regulation, 36 CFR blah, blah, blah, listed on 221, the amendment offered by Mr. Thomas, the word "Federal" is inserted before subsistence fishing permit.

10

MR. THOMAS: Question.

11

MS. GARZA: Question has been called. We had people who raised for comments, Mike and then I forget who else.

12

Mike, do you still have a comment?

13

MR. DOUVILLE: Thank you, Madam Chair. I did. I was going to either make the motion or second the proposed regulation. It's now changed so I don't fully -- I haven't got a grasp of what we just did.

14

MS. GARZA: He's trying to in a sneaky way request that we have a Federal subsistence fishing permit for salmon, trout, or char.

15

MR. THOMAS: Madam Chair?

16

MS. GARZA: Mr. Thomas?

1
2 MR. THOMAS: Mike, since the 1st
3 of October last year, the Federal Government
4 moved in to assume management of fisheries
5 and Federal, public lands, and waters.
6 Okay. So, it so happens that the area that
7 we fished in this proposal is all in Federal
8 land, Federal jurisdiction. They don't have
9 a permit for that right now.

10 So, what this is doing, if this
11 gets approved by everybody involved, the
12 Federal Government will have their own
13 permit system for their own means of
14 monitoring how much is caught every time
15 there's an opening there.

16 The State has that, the Feds
17 don't.

18 MR. DOUVILLE: I understand that
19 part, but if I get this right, you've added
20 the first sentence to permit the take of
21 salmon, trout, or char also. So, I guess my
22 question is this: This proposed regulation
23 was one that was advertised. This other
24 what they're adding there, was not or is it
25 going to be okay or is there going to be
some problem with it I guess is my question?

MS. GARZA: No, it doesn't
already exist. When John had asked about
it, it was stated by Mr. Larson that that
first sentence refers to a State subsistence
permit for salmon, char, and trout.

So, it could be that -- if we
passed it as amended and it was clear that
this did not go before substantial public
comment, the Federal subsistence Board just
takes it back out. But maybe we'll sneak it
in.

It's been moved and seconded.

MR. THOMAS: Madam Chair?

MS. GARZA: Mr. Thomas?

MR. THOMAS: Before we take a
vote on this, there's obvious questions and
some confusion and it was crystal until
about a minute ago. And if I'm the only one
that's still confused, I'm willing to vote,

1 but if there's more people that aren't clear
2 on this, I think we should take a minute to
3 further discuss it and so we'll be
4 comfortable in what we act on.

5 Thank you, Madam Chairman.

6 MS. GARZA: Mr. Chairman, perhaps
7 you didn't mean to be as sneaky as I thought
8 you were.

9 On the bottom of page 221 is the
10 preliminary conclusion with the proposed
11 regulation. The first sentence which is not
12 in italic is the existing regulation, you
13 must possess a subsistence fishing permit to
14 take salmon, trout, or char.

15 When it was asked, we were told
16 that permit implies a State permit. That
17 may change given our request for Federal
18 permits for coho and other species in other
19 systems throughout Southeast.

20 Putting that aside, the proposed
21 regulation change that was brought forward
22 in Proposal 41 was that you must possess a
23 Federal subsistence permit to take hooligan
24 from any freshwater stream flowing into
25 fishing Sections 1C and 1D.

That is the portion that we have
discussed seems like too long, and I was
hoping we would vote on quickly because I
think it's necessary.

If we vote on the amendment, then
we are voting on something that has not gone
before public comment.

John and then Bill?

MR. LITTLEFIELD: We have an
amendment that's seconded.

I have to wait for that to be
finished.

Could you read the amendment,
please?

MS. GARZA: The amendment was:
You must possess a Federal fishing permit to
take salmon, trout, or char. The word
"Federal" would be inserted into that first
sentence which is not bold and is the
existing regulation.

MR. THOMAS: Madam Chairman?

1

MS. GARZA: Mr. Thomas?

2

3

MR. THOMAS: I understand it clearly, and if I can, I know everybody else does. I think we're safe for the vote.

4

5

MS. GARZA: Did you understand it, Mr. Littlefield?

6

7

8

9

MR. LITTLEFIELD: Yes, I do, Madam Chair, but I think we developed a style on Proposal 35 that we've been following, and this does not follow that style. I'm going to vote against the amendment.

10

11

MS. GARZA: Okay. So speaking to the amended proposal of adding the word "Federal" to the first sentence --

12

13

MR. CLARK: Madam Chair?

14

15

MS. GARZA: I will also be speaking against the motion because it has not gone forward to public comment.

16

17

MR. THOMAS: So will I, then.

18

19

MS. GARZA: Call for the question.

20

21

MR. THOMAS: Question.

22

23

MS. GARZA: Question has been called on amending the proposed regulation to insert the word "Federal" in the first sentence so it would be a Federal subsistence fishing permit to take salmon, trout, or char.

24

All in favor of that amendment, signify by saying "aye."

25

All those opposed, signify by saying "nay."

26

COUNCIL MEMBERS: Nay.

27

28

MS. GARZA: The amendment fails. The amendment was for amended proposal so we have no proposal before us.

1 Mr. Littlefield?

2 MR. LITTLEFIELD: I don't want to
3 rewrite the whole thing but I would like to
4 offer an amendment, and the amendment would
5 be in the last sentence under the
6 preliminary conclusion 221. It says, the
7 existing language you must possess a Federal
8 subsistence permit to take eulachon from any
9 freshwater streams flowing into fishing
10 Sections 1C and 1D.

11 I would like to strike the words
12 "freshwater stream flowing into" and replace
13 that with waters under Federal jurisdiction
14 in.

15 MS. GARZA: Second the motion.

16 MR. MARTIN: Second the motion.

17 MS. GARZA: The motion has been
18 seconded. Let me reread it as it was
19 written.

20 36 CFR, blah, blah, blah. You
21 must possess a -- you must possess a
22 subsistence fishing permit to take salmon,
23 trout, or char. You must possess a Federal
24 subsistence permit to take eulachon from any
25 waters under Federal jurisdiction in
Sections 1C and 1D.

Is that correct, Mr. Littlefield?

MR. MARTIN: Call for the
question, Madam Chair.

MS. GARZA: Is the amendment
clear?

Question has been called for.
All in favor of the motion,
signify by saying "aye."

COUNCIL MEMBERS: Aye.

MS. GARZA: All opposed?
Motion passes.

MR. LITTLEFIELD: Question.

MS. GARZA: Question has been
called on the full proposal as amended. It

1 would read exactly as we -- you must possess
2 a subsistence fishing permit to take salmon,
3 trout, or char. You must possess a Federal
4 subsistence permit to take eulachon from any
5 waters under Federal jurisdiction in fishing
6 Sections 1C and 1D.

7 That is the amended motion that
8 we have before us.

9 Is there a call for the question?

10 MR. THOMAS: Question.

11 MS. GARZA: Mike?

12 MR. DOUVILLE: Madam Chair, I
13 don't look -- I haven't wrote it down and
14 made the changes, but I think what you've
15 done is now you are going to require a
16 Federal permit to get eulachons no matter
17 where you go in Southeast where before they
18 were only asking for a permit for this
19 little area just so they could work on it.
20 The rest of the areas, you didn't need a
21 permit. You could just go harvest. Is that
22 what I'm hearing?

23 MS. GARZA: This is still for
24 Section 1C and 1D.

25 MR. DOUVILLE: Only?

MS. GARZA: Yes. And I think the
intent is that if we have convincing
arguments over what is Federal jurisdiction
that that permit may come further out so we
don't have issue someone fishing either
State or Federal waters.

Mr. Littlefield?

MR. LITTLEFIELD: I believe it
was changed to 1C and 1D to account for the
other streams, such as the Chickamin.
That's why I'm supporting it. There are
some other streams there that they have the
25,000 cap on. They're catching those fish
somewhere else.

MR. DOUVILLE: I understand.
Thank you.

1 MS. GARZA: Is there a call for
the question?

2 MS. RUDOLPH: Question.

3 MS. GARZA: Question has been
4 called. All in favor of the proposal as
amended, signify by saying "aye."

5 COUNCIL MEMBERS: Aye.

6 MS. GARZA: Opposed?
7 The amended proposal passes.
8 We have Proposal 42 and 43,
combined for analysis, staff analysis.
9 Mr. Larson?

10 MR. LARSON: Madam Chairman,
we've combined these two proposals because
11 they're so similar in nature: FP02-42,
requests a hooligan possession limit for
12 fishermen be set at 5,000 pounds per week
for the Unuk River system; FP02-43 is very
13 similar, and specifies a limit of 1,000 --
pound limit for eulachon in the Unuk River.

14 Also in one of these proposals,
Proposal 42, I believe, that suggests -- 43
15 suggests that harvests may only be utilized
for personal consumptions, and not sold.

16 The staff comments regarding the
biology of eulachon and the history of the
fishery are exactly the same as Proposal 41.

17 Our staff conclusion is to oppose
these proposals. Although we have a concern
18 for the sustainability of the fisheries that
occur there, we really do not have adequate
19 stock status information to do -- to support
proposals like this as far as setting --
20 exploitation rates or annual harvests or
that kind of a specific management actions.

21 We think that through the
permitting process that we'll be able to
22 monitor this fishery. We have some -- made
some plans internally to observe the fishery
23 and become more familiar to the area. At
least in the short term we're happy with our
24 abilities to monitor the situation and
provide for conservation with the stocks.
25 If we think that there is something more
that needs to be made, then we reserve our

1 right to change our mind as we get more
2 information, but at this point, we're going
to oppose both of these proposals.

3 MS. GARZA: So, in the executive
4 summary on page 227 it shows proposed
5 regulations. One is 500 pounds of eulachon
6 a week; one is 1,000 pounds by beach seine.
7 The Federal staff opposes this because they
8 do not feel that it is necessary at this
9 time. If the previous proposal passes and
10 we start collecting data on subsistence, if
11 we get another FIS proposal for some
12 eulachon work and that goes forward, then
13 we'll have a better handle on the situation.
14 I see that ADF&G is neutral. Does ADF&G
15 need to say more than that or can we zip
16 through it?

17 MR. KELLEY: I'm not a zipper,
18 Madam Chair, sorry.

19 It will be quick. If Dick Stokes
20 tries to take over, look at me before you
21 answer him.

22 MR. KELLEY: Madam Chair, members
23 of the Council, the State is neutral on the
24 proposal, but does support Federal -- does
25 support Federal staff for conservation on
these --

MS. GARZA: Mr. Thomas?

17 MR. THOMAS: Just a positive --
18 as you folks are monitoring sustainability
19 on this run on that system, for one
20 situation in this state, I think you're
21 going to find yourself collaborating around
22 a couple -- around a cup of coffee or a
23 bottle of beer with the people that are
24 fishing. Because the people that are
25 fishing have the best grasp on what's going
on there. They have historical observations
that they make. They have techniques that
they use and so you're going to find that
you're going to depend pretty heavily on
what their perspective of these fisheries
are, and I think it's going to be a good
arrangement, and I'm happy to see that.
It's already occurring.

1 Thank you.

2 MS. GARZA: Are there other
agency reports?

3 Are there Tribal reports?
4 I have no green cards for public
comment. It is before us for Council
deliberations.

5 MR. CLARK: Madam Chair, there
6 are written public comments.

7 Mr. Clark. Two written public
comments, both in support, and booklet on
8 page 236. For the record, one is from Nancy
Hillstrand of Homer and the other is from
United Fishermen of Alaska.

9 MS. GARZA: Thank you, Mr. Clark.
10 We are on to Council
deliberation.

11 Is there a motion to bring these
12 proposals forward?

13 MR. THOMAS: Madam Chair, I move
we adopt 43 --

14 MS. GARZA: 42 and 43?

15 MR. THOMAS: 42 and 43 and 44.

16 (Laughter.)

17 MR. MARTIN: Seconded.

18 MS. GARZA: FP02-42, FP02, FP0 --
19 43 and 44 which we will write over lunch.
42 and 43 are on the table.

20 MR. THOMAS: On discussion, I'm
21 going to vote against this motion, the
people when I put this proposal before us
22 are ineligible users. They're disgruntled,
ineligible users, and I will take it upon
23 myself to make sure they get their mess of
eulachons regardless. I'm going to vote
against this motion.

24 MS. GARZA: Bill, it is my
25 understanding that there is personal use and
I'm not sure who would be excluded from

1 that. However, I will vote to support the
2 staff and oppose Proposal 42 and 43. So it
3 would be supporting the staff
4 recommendation.

5 MR. LITTLEFIELD: Question.

6 MS. GARZA: Question has been
7 called. All in favor, signify by saying
8 "aye."

9 Opposed?

10 COUNCIL MEMBERS: Aye.

11 MS. GARZA: Motion 42 and 43
12 fails. We are now at Item 9.

13 Mr. Littlefield, you had a
14 request for additional work on whichever
15 proposal is Redoubt.

16 MR. LITTLEFIELD: I was wondering
17 if it was possible for Federal staff to be
18 directed to work with Tribal staff and
19 others to come up with some numbers for us
20 prior to the end of today that we could look
21 at that would suggest some numbers, some
22 trigger numbers for the Redoubt Lake system,
23 such as spawning escapement, what would be
24 the ideal escapement, what would be the
25 number for where subsistence fishery was
26 allowed to take place, and another number
27 for when the sport fishery could come in.
28 And I believe that that could take place
29 before the end of the day, and I realize
30 it's a short time, but I think we can come
31 up with some numbers that are rough, that we
32 could use as a guide to recommend to the
33 Board.

34 MS. GARZA: Hearing no
35 objections, the Chair recommends that
36 Federal subsistence staff meet with Tribal
37 staff and others to discuss these Redoubt
38 numbers.

39 MR. VAN ALLEN: Madam Chair,
40 members of the Council. Ben Van Alen,
41 Forest Service, Juneau. The State of Alaska
42 does have an escapement goal policy in
43 place. It's been in place for a couple of

1 years, and it does a detailed procedure for
2 establishing the different escapement goals.
3 If they're to be formally established, and I
4 would request that we respect their protocol
5 at the same time, I'm very supportive and I
6 think I have supportive -- support of other
7 biologists involved in working together to
8 work towards setting the escapement goals,
9 and I would suggest that they would be
10 sustainable escapement threshold, a -- as
11 well as the biological escapement goal, and
12 there's -- biologically, I think it's
13 frankly it's impossible to come up with the
14 biological escapement goal, MSY goal. We
15 just don't have the information. There's
16 quite a bit of necessary uncertainty in
17 doing that. It's a risk actually
18 biologically to do it. But I believe we can
19 work together and come up with minimum
20 escapement levels that will trigger certain
21 management actions, and I really can't say
22 now if -- I guess we'd have to work with the
23 State folks to make sure that on the
24 procedure for how we would agree, I guess,
25 or set certain goals.

But I think we should be
encouraged to work together and, in fact,
right away.

Thank you.

MS. GARZA: You're so encouraged.
Is that okay, John?

17 It's five minutes to noon. It's
18 my understanding that there's only one place
19 open for lunch. We're going to have to make
20 a mad dash and see who eats first. Under
21 Item 8, Briefings, it did not come to our
22 attention that we have had ADF&G subsistence
23 through Judy Ramos to do a summary of the
24 subsistence survey for Yakutat. That should
25 have come up before and she has been sitting
here patiently for two days waiting for us
to get through proposals, so we will start
that at 1:30 and see how far we get through.

Ms. Phillips?

MS. PHILLIPS: I would like to
request a reconsideration for FP02-40.

MS. GARZA: Is there a second?

1 MR. KOOKESH: I second it.

2 MS. GARZA: It's been moved by
3 Ms. Phillips and seconded by Mr. Kookesh to
4 reconsider FP40. Reconsideration, Ms.
Phillips?

5 MS. PHILLIPS: I wanted -- I
6 wanted to amend our proposal to read "you
may not use bait."

7 We have to do this in order.
8 There's been a motion and a second to
9 reconsider. We have to vote on
reconsideration.

10 So, first the motion is to
11 reconsider this proposal. Mr. Littlefield.

12 MR. LITTLEFIELD: Thank you,
13 Madam Chair, I will be voting against the
14 motion to reconsider. I've thought about
15 this yesterday, ain't thought about it again
16 today, and I keep coming back to the fact
17 that if I use a piece of bait and throw it
18 out in the river and I catch a fish, I don't
19 release the thing. I keep it. The
20 mortality is 100 percent.

21 MS. GARZA: Any other discussion
22 on the request to reconsider Proposal 40,
23 steelhead?

24 Mr. Douville?

25 MR. DOUVILLE: Thank you, Madam
Chair. There is a reason for putting that
bait in there, and I'm not going to
sacrifice the proposal for bait issue, you
know what I'm saying, but here is my point:
If you go out to dig clams, you don't
take -- what you really need is a pitch
fork, this is not a sport fishery. Don't
confuse subsistence with sport. If you go
out for subsistence, you want to go get a
fish, the best means is to go use bait,
catch the fish and be done.

The other thing that is pointed
out. This may have an effect on cutthroat
trout and so on. Bear in mind that this
proposal is only on Prince of Wales, and
there's only a couple streams there that

1 have really good runs of cutthroat. The
2 rest of these streams don't have any
3 conflicting fish. There's no trout there,
4 only steelhead. So, that's kind of what I'm
5 trying to get across.

Thank you.

6 MS. GARZA: Mr. Kookesh?

7 MR. KOOKESH: I happen to believe
8 that with Mr. Douville, in a conservation
9 mode that using bait increases a greater
10 mortality. I happen to believe that when --
11 I don't do any steelhead fishing, but I do a
12 lot of coho fishing. I catch a lot of cohos
13 and kings that swallow the bait, you've got
14 mortality rate, and the idea is to hold down
15 the mortality rate.

16 MR. DOUVILLE: Madam Chair?

17 MS. GARZA: Mr. Douville?

18 MR. DOUVILLE: It works good and
19 probably hooks them pretty well. That's the
20 whole point of subsistence issue. You're
21 not sport fishing and you're not trying to
22 catch a 36-inch fish in this proposal. When
23 you catch a fish, you're happy with it, you
24 go home. You're not sorting through fish
25 trying to get a specific size or anything,
26 you're only getting -- trying to get one to
27 eat.

28 MS. GARZA: Mr. Littlefield?

29 MR. LITTLEFIELD: Thank you,
30 Madam Chair. The discussion here is
31 centering around things that came up. You
32 keep hearing terms like by-catch. If I by-
33 catch a trout, that's not by-catch to me,
34 that's food. I'm not letting them go.
35 Subsistence users don't sit there and catch
36 50, 60 fish trying to figure out which ones
37 they take for dinner. The ones they catch,
38 they take home. If they're lucky enough to
39 hook one, it gave itself to us and we take
40 it home. That's the way I look at it. The
41 mortality is 100 percent. We're not going
42 to sit there and play with the fish. That's
43 not respectful.

1 MS. GARZA: Mr. Kookesh?

2 MR. KOOKESH: I also know that
3 from halibut fishing, when I'm out there
4 halibut fishing, I don't take the first
5 halibut that comes up. I always make it a
6 point to take the right one at the right
size. Take the -- I don't take the very
large one, and I don't take the ping-pong
paddle either.

7 MS. GARZA: Mr. Stokes?

8 MR. STOKES: I agree with both.

9 (Laughter.)

10 MS. GARZA: Mr. Douville?

11 MR. DOUVILLE: Thank you, Madam
12 Chair. Mr. Kookesh, that's why you use wood
hooks and you only catch big ones.

13 MS. GARZA: We're straining here.
14 The motion is to reconsider Proposal 40,
steelhead trout.

15 MR. LITTLEFIELD: Question.

16 MS. GARZA: Question has been
17 called on to reconsider. All in favor,
signify by saying "aye."

18 COUNCIL MEMBERS: Aye.

19 MS. GARZA: Show of hands,
20 please.

21 All opposed?
Show of hands, please.

22 MS. GARZA: Five against four --
23 we will revote. Mr. Stokes, who had a
24 hearing aid, did not hear it correctly.
25 The request is to reconsider this
proposal. If you are in favor of
reconsidering, signify by -- raise your hand
for an "aye."

One, two, three.
Opposed to reconsidering, raise

1 your hand?

The motion fails.

2 Break for lunch until 1:30.

3 (Lunch break.)

4 MS. GARZA: While everyone is
5 getting settled, we did finish all of the
6 proposals. We finished Item 10. We
7 inadvertently left out -- we've added to
8 Item 8 under "briefings." Part of the
9 subsistence survey, and we have Judy Ramos,
10 who has worked with ADF&G subsistence on the
11 Yakutat subsistence survey, so they are
12 prepared to present to us.

13 And then after that we will go
14 back to the agenda. We have customary
15 trade, agency and Tribal reports, call for
16 proposals. We have to review our charter
17 and continuing down Judy and Mike, wherever
18 you're ready.

19 MS. RAMOS: Gun nux cheesh.
20 Thank you very much.

21 What we're going to do here is
22 Mike's going to give the introduction about
23 how the study originally got funded and
24 started before I came on board as the -- as
25 harvest survey coordinator.

MR. TUREK: Good afternoon, Madam
Chair, and Council.

17 I'm Mike Turek with Alaska
18 Department of Fish & Game, division of
19 subsistence, and I -- Judy is going to do
20 the majority of this presentation. I'll
21 introduce, explain a bit our involvement,
22 and I'll just -- how this went.

23 We did this cooperatively with
24 Schroeder, the Forestry Science Lab in
25 Juneau, and the subsistence division, and
the Yakutat Tlingit Tribe. Judy's work was
funded by the Forest Service. Our work is
funded by the State. What we did is we used
our standard statewide survey form modified
for Yakutat. We had a lot of input from
Judy and her staff on that. And we
conducted a household harvest survey in
Yakutat. Our staff assisted with doing the
random selection of the households in the

1 community, and also training of Judy and the
2 other staff here. Judy actually worked with
3 us in Wrangell last winter when we were
4 doing the household harvest survey there,
5 doing some training. Annie Page came over
6 here and worked with her. They did a great
7 majority of pretty much all the survey
8 themselves, Judy and staff.

9 The study objectives. This is
10 continuing our household harvest surveys in
11 Southeast Alaska, updating the baseline
12 surveys from pre-1988 and then 1988 what's
13 known as the truck survey. The study of the
14 objectives is document contemporary
15 subsistence fish, wildlife, and plant
16 harvest levels in Southeast Alaska
17 communities.

18 One thing we were doing is
19 examining high harvesters and other
20 distribution characteristics.

21 We analyzed variability and
22 examine subsistence trends over time by
23 comparing harvest quantities and spatial
24 data, mapping data with earlier studies.

25 Provide objective subsistence
data that will form a basis for Fish &
Wildlife regulatory and land use decisions
and provide depictions of community in
subsistence characteristics.

Prior to doing this survey in
Yakutat, we've been -- we worked on 24
communities in Southeast since 1976, I
believe we started on this. These are the
communities we've done so far. We did
Wrangell and Petersburg last winter and the
data is just being completed in our
Anchorage office now, so I don't have draft
data for you to share with on that. But
that should be ready soon.

Communities that still need to be
completed Elfin Cove, Gustavus, Hyder,
Metlakatla, Pelican, Port Alexander,
Skagway, Tenakee Springs.

At this point we're not sure when
we're getting to those communities. We're
sort of inundated with fish survey; the
household projects are sort of put aside the
next couple of years.

25 MS. RAMOS: Before I get started,

1 if the Council wants copies of the results
2 of the survey, I have packets of the tables
3 that came out of the survey, and for my
4 presentation, we're only covering half of
5 those tables, but if the Council wants to
6 raise their hand, you can pass them out for
7 the people, if you want a copy of all our
8 tables.

9 MR. TUREK: I'd like to add
10 something. Three years ago we did a similar
11 survey in Sitka working very closely with
12 the Sitka Tribe, and we worked with the
13 Sitka Tribal staff very closely with that,
14 similar to what went on in here in Yakutat.
15 Yakutat took a little bit farther and had a
16 little more responsibility, and pretty much
17 completed the survey by themselves. Judy
18 did a fantastic job. She's had experience
19 doing this kind of work in the past. She
20 fell right into this. It was really nice to
21 be able to work with Judy and to be able to
22 have them actually do the survey in the
23 community.

24 MS. RAMOS: I wanted to give a
25 little more background on the survey. What
26 we -- after we did the household mapping and
27 we randomly selected the households, we
28 ended up with about 246 households that we
29 saw as being occupied full-time and we took
30 out houses that were vacant or there was no
31 one there. So we only -- originally we
32 thought we were going to do 70 households,
33 we were told we had to 150, and we ended up
34 doing 139 households. We were too tired to
35 do one more household because it was just
36 exhausting doing these household surveys.
37 So, we ended up with 139, and we said no
38 more. So that ended to be about 60 percent
39 of the households in Yakutat that were in
40 our survey.

41 As you mentioned before, we used
42 the survey that division of subsistence was
43 using. We added a lot more of our
44 questions. One of the issues that came up
45 in our preliminary interviews was the amount
46 of dogfish out there and we asked the
47 question about do you see a great amount of
48 dogfish out there. We asked specific

1 questions about clan affiliation. We asked
 2 another question about birds and people who
 3 were collecting birds. We asked specific
 4 questions on how many potlatches people or
 5 community events people attend or how much
 6 subsistence food is contributed to these
 7 events, and we asked 11 opinion questions,
 8 and three questions on if your harvest is
 9 increasing or decreasing.

10 When we looked at the -- when I
 11 counted up the amount of species we were
 12 asking, we counted 141 species that were in
 13 our survey. Each of the species we asked
 14 the people which community people were
 15 giving or receiving food to. When we ended
 16 up with the final survey, it turned out to
 17 be about 55 pages of questions.

18 Each survey took about one to two
 19 hours to administer. When we were done with
 20 that, we mapped all the species; we mapped
 21 five species where people were harvesting
 22 these food and we have three maps from Sakar
 23 River to Dry Bay. We did a seal mammal
 24 harvest survey, so that was a -- it was very
 25 time-consuming. We even sat down with
 someone, but it took a lot of time to track
 people down and find them, and -- have them
 sit down to take the time to do these
 surveys if you've ever done surveying how
 that -- that's a lot of work.

16 Now, the first picture, slide
 17 here is Yakutat population over time.
 18 Before contact, there were many villages up
 19 and down the coast, smallpox epidemics led
 20 to the abandoning of many of the areas, but
 21 people still go back there to do the
 22 subsistence fishing.

23 The population of Yakutat has
 24 increased 271 percent between 1970 and 1990.
 25 Since 1990, the population has increased by
 14 percent. On this slide it shows the
 population of Yakutat, 808, but that
 includes the logging counts. If you look at
 just the Yakutat, the City of Yakutat
 itself, it's 680 people. If you look at
 that population of time, in 1861 it was very
 high for some reason, then it shrank down to
 the lowest in 1970, 190 people, now it's
 gone back to 680 for the City of Yakutat.

This next slide is age and sex --

1 age and sex distribution. 53 percent of the
 2 population is male and 47 percent female.
 3 The greatest difference was in the 45 to 49
 4 year olds where there's 12 percent female
 5 and 80 percent male. If you're a single
 6 girl in that age, there's lots of guys
 7 around here.

8 One third of the population are
 9 youth. Half, 54 percent are adults, and 10
 11 percent are over 64 years old.

12 The reason why I have such a
 13 small senior age is most of the seniors have
 14 to go to the senior home in Sitka, Juneau,
 15 and Anchorage.

16 Okay. Earned income here, the
 17 per cap income is \$18,431 for Natives. This
 18 averages about \$17,166. For non-Natives,
 19 \$19,811.

20 Other income on this would
 21 include PFDs and that year we got a major
 22 corporation different from our corporation.

23 The way we got this is -- the way
 24 we got the per cap income was taking the
 25 amount of income earned and dividing it by
 the average people and household.

So, I also wanted to mention,
 this slide here shows the herring
 exhibition, in Chatham Bay in 1898 -- 1891
 those are seal hides stretched on stretches.
 The other slide is one of the Malaspina
 slides when Malaspina came here in the 1700s
 with his Spanish expedition around the
 world.

This slide here shows a
 composition of subsistence harvest by major
 resource category.

If you look at salmon in the pink
 and the other fin fish in the yellow color,
 60 percent of the subsistence harvest is
 fish. That's other fin fish and salmon.

If you add marine and
 vertebrates, which is the shellfish and
 crabs and things and the marine mammals
 which is your seal, 83 percent of our
 harvest comes from the sea. Most of our
 food is from the sea. The other harvest is
 land mammals, which is mostly moose, and
 vegetation, berries and birds and eggs,
 which is 1 percent.

This here is top ten species, and

1 the first top part of this is 1987, and the
bottom part is the top ten species in 2000.

2 In 2000, the top ten species
3 accounted for 83 percent of the harvest. If
4 you look on the cumulation percent of
harvest, you come down to 83 percent. The
top ten species accounts for 83 percent of
all the harvest.

5 Coho went from first in 1987 to
third in 2000; sockeye stayed second on the
6 top ten; halibut went from third in 1987 to
first in 2000.

7 Dungeness crab totally dropped
off the list, and shrimp was 8 in 2,000.
8 There's been a huge decline of Dungeness
crab here. That's one comment that came up
9 again and again in our surveys.

10 This year's comparison of the
three harvest surveys from 1984, 1987, and
2000. And this compares to seven major
11 resource categories for these three years.
And if you look at land mammals, that was
12 the biggest difference, land mammals went
from 14 percent to 8.8 percent. And in
13 salmon for some reason, in 1987, salmon was
pretty high in 1987 and 54 percent for some
14 reason.

15 Then birds and eggs was another
major difference there in the bottom between
1984 and currently at .8 percent.

16 So, this shows you the same thing
whether it's by pounds per cap. That's the
17 same information on the other slide.

18 This here is a cumulative harvest
of wild resources in households. And what
this shows is 75 percent of the total
19 harvest is done by only 25 percent of the
Yakutat high harvesting households. The
20 lowest harvesting 50 percent of the
households take only 8 percent of the total
21 harvest. Most of the harvest is done by a
few households.

22 This is the mean household
harvest. The average per cap harvest was
23 8 -- 385 pounds. That's what the average
person in the survey harvested. Alaska
24 Native harvested 424 pounds, and non-Native
harvested about 314 pounds.

25 And if you look at this by
household, this averaged 1,045 pounds for

1 Native households, and non- -- this averaged
 2 1,045 pounds for Native households, and
 3 1,073 pounds -- averaged -- non Native is
 4 753 pounds.

5 Non-Natives harvest --
 6 There's one non-Native household
 7 who likes eating rabbits in our community.
 8 They also harvest more ducks in Native
 9 households. Native households harvest more
 10 of the other resources.

11 This is mean number of resources
 12 used per household. The average number of
 13 resources harvest per household is 14. The
 14 average number of resources used per
 15 household is 22. So, the households used
 16 14. Why there's the difference is you can
 17 receive some resources, but you don't
 18 actually harvest all those resources. So
 19 you can harvest 14 resources, but you can
 20 use maybe 22 species because you receive
 21 herring eggs from Sitka or somebody else
 22 goes out and harvests seagull eggs or
 23 something and they give it to you.

24 Alaska Native households received
 25 and gave away more resources than non-Native
 households.

One of the things we did is
 compiled a list of resources and put in
 their Tlingit name and scientific name, and
 this is compiled from "The Subsistence
 Lifeways of Tlingit People" which is one
 source, in Haines was the other source. I
 just wanted to also mention that the one
 that's in the subsistence life where they
 use the Tlingit alphabet, so this might be a
 little different than what you're used. We
 compiled all the names that we could find in
 Tlingit for all the species that we use.

This is more names here.

This is percentage of meat, fish,
 and birds from wild resources. We asked
 each person to get an idea of -- we asked
 them what percent of their meat, fish, and
 birds came from wild resources, and if you
 look at this, 47.5 percent of the
 respondents estimate they get more than 350
 percent of their meat, fish, and birds from
 wild resources. If you compile 51 percent
 of 200 percent. At least half of the people
 get more than 50 percent of their food from

1 wild resources.

2 These slides are more slides from
3 the exhibition here. Around this is also
4 from -- the lady down the corner is my
5 grandfather's sister and she's fleshing out
6 a seal and you can see all the stretching
7 their, seal hides in the background.

8 This question is what is the
9 right amount of subsistence food for your
10 household in a typical year.

11 We asked people in our survey to
12 estimate how much they would need to survive
13 in each of these species. Native households
14 saw the need to harvest higher amounts in
15 all categories except rockfish. Native --
16 Native households were equal for halibut.
17 If you look at the difference between the
18 two -- the greater is seals Chinook and
19 herring eggs. Seals, non-Native saw a major
20 to harvest .4, and Native was 3.5.

21 Chinook or king, the non-Native
22 households saw 10, and the Native households
23 saw about 25.

24 Herring eggs, Native households
25 saw a -- non-Natives saw about 12 pounds and
the Native saw the need for about 58 pounds
of herring eggs that they thought was good
for their household.

1 Hooligan, non-Natives, one gallon
2 of eulachon, and then Natives said about 11
3 gallons of eulachon was good for their
4 household.

5 This slide is a little bit
6 complicated. It's a percentage of salmon
7 harvest by resources, gear type, and salmon
8 total harvest.

9 If you look under all harvests,
10 there's two numbers there, one is number in
11 pounds, and this is -- if you look, the
12 amount of chum harvest is only 1 percent.
13 Percent of the salmon harvest for coho is
14 about 34 percent of the salmon harvest is
15 coho. 15 percent of the harvest of
16 Chinook -- 15 percent of the salmon harvest
17 is Chinook, 5 percent is pink, and 46
18 percent of the salmon harvest is sockeye.

19 Now, if you look at the column on
20 bottom which is salmon, by gear type, 78
21 percent of the salmon harvest is by
22 subsistence net, 12 percent is removed from

1 commercial catch, and 10 percent is removed
2 with rod and reel.

3 Now if you look at all the
4 harvests, the No. 1 salmon that's harvested
5 is sockeye, the second salmon that's harvest
6 is coho and third is chinook.

7 Subsistence is the mean way of --
8 main way of harvesting salmon.

9 20 percent of Chinooks caught by
10 net, 16 percent of the coho are caught with
11 rod and reel. I wanted to comment right now
12 that there are a lot of cohos being caught
13 by rod and reel that's being used for
14 subsistence. The only way of catching them
15 now is by using a sports license here.

16 14 percent of the salmon is
17 removed from commercial catch. That's the
18 cohos.

19 So, this is a little bit hard to
20 read, but you've got to kind of look at it
21 for a while and figure it out.

22 That is the question we asked of
23 how many potlatches and community events
24 that you go to. Salmon was the most common
25 food to potlatches and community events.
Native households contributed in higher
rate, seal meat, herring eggs, berries, and
seaweed.

These are some of the resource
questions that -- the opinion questions we
asked in the personal -- my family has been
able to meet its needs for subsistence
foods.

Most of the households agreed
that they were able to meet their needs, but
22 percent disagreed. Charter boat fishing
has limited my ability to catch halibut
while fishing other resources.

A major part of the community
agreed that they limited their ability to
get food. And there's lots of opinions
about charter boats here pushing people to
having to go further and further out here.

The number of seals found in the
Yakutat area has decreased in the past 50
years. Only 88 households responded to
this, but it's pretty evenly divided between
agree or disagree on this question.

Fishing and gathering in Monti
Bay near Yakutat, by people from outside our

1 community has hurt my ability to get
2 subsistence foods in their areas.

3 28 percent that agree, major part
4 of the community agree that it has hurt
5 their ability.

6 Over the past few years, I have
7 had trouble getting seals for subsistence in
8 Disenchantment Bay near the Hubbard Glacier.
9 Only 52 responded to this. Only four
10 non-Native households responded to this
11 question. Out of the Native households that
12 agreed to this, it was pretty evenly divided
13 between disagree and agree.

14 Because there are so many
15 nonlocal people fishing here, I do less
16 subsistence fishing in the Situk River than
17 I used to.

18 So, that, again, is pretty
19 divided between agree and disagreed.

20 I don't get subsistence foods
21 from some areas because I worried about
22 possible contamination.

23 Over 64 percent said agree, and
24 about 26 percent disagreed.

25 I wanted to also cover -- it's
not on the slide, but the opinion questions.
One of the opinion questions that we asked
is has your subsistence harvest changed in
the past five years. 61 households said,
no, but 74 -- or 75 said, yes. 12 said they
are doing more, and 63 households said
they're doing less. 33 said they're doing
less, because they have less time, they're
working or sick. And then the others said
they're getting shellfish salmon, halibut,
and moose.

When we asked them, did you
harvest any unusually small amount of any
resources, 52 households said, no; and 87
said, yes; 32 households said they didn't
get salmon; 18 households didn't get moose;
14 households did get berries; 40 households
said they didn't get marine, shellfish,
clams; 8 got no salmon; and 8 got no seal.

When they had questions,
comments, or concerns, 14 households wanted
to see more protection for subsistence and a
preference for subsistence.

22 households had comments about
subsistence management regulations. Six of

1 them were commenting about subsistence
2 fishing and subsistence moose hunting.

3 18 households were concerned
4 about the impact of sports fishing in our
5 area. Five were concerned about the
6 increase in sea otters, and six are
7 concerned about contamination, and four
8 households are concerned about commercial
9 trawlers or draggers in our area.

10 When we asked them, can you
11 describe the importance of subsistence
12 fishing and hunting to your household? 44
13 households said they needed subsistence to
14 survive because of the high cost of living
15 and other reasons here.

16 30 households said they needed --
17 subsistence was a way of life to them and
18 part of their culture. 33 households felt
19 subsistence food was healthier to eat and
20 better for you. 11 households said
21 subsistence was recreation and they enjoy
22 going out. Seven households said they
23 harvested to share with families and others.

24 In the last few slides, Mike's
25 going to cover these last few slides.

MR. TUREK: These are some --
this is information from our surveys over
the years and some comparisons, those slide
shows, Angoon, Hoonah, Kake, and Yakutat,
and the data we got per capita. That means
per individual in the community, the food
weight per pound. So, in Angoon was 216
pounds per person and -- 244 in '87 and 224
in '96.

In Hoonah, 1986, 210 pounds, then
Hoonah in '87 and '96 both real close, '87,
'85, and '96 with 372.

So, those two surveys are nine
years apart. Probably even a better picture
of the amount of pounds needed in Hoonah.

In Kake we also did a survey in
'85, 218 pounds, '87, 163, and in '96, 179
pounds per person.

Yakutat, in the '84, survey was
369 pounds; in '87, 398; and then in 2000,
386, so all pretty close.

I think this shows that our data
is pretty good because we're doing surveys
over a number of years. We keep improving

1 the survey form and we're not seeing any
2 real drastic changes in any community except
3 out of these four perhaps Hoonah for that
4 first year in '85.

5 Let's see. Pounds per capita,
6 subsistence harvest representative years.
7 These are all communities that we conducted
8 surveys in in Southeast and I'm not going to
9 run through all of these, but Gustavus, '87
10 is 241 pounds, and Craig in '97 is 230. You
11 see it goes down to the lowest we did was
12 community that had the lowest was Skagway,
13 48 pounds per person. And most of the
14 communities from Wrangell on up had 155
15 pounds and up. That's about the -- I
16 believe it's right around 150 pounds was
17 about what the average person in the Lower
18 48 uses in a year of protein, meat and
19 cheese and milk. So the great majority of
20 communities in Southeast Alaska are getting
21 as much or more of their protein from the
22 wild resources as what people get in the
23 Lower 48 from the supermarket.

24 The next page is more
25 communities. We did a survey in Klawock in
1996 -- that was a lot of bumper crop of
hooligan. When we divided up per capita,
pound per survey, that leads to 680 pounds
per person. One of the things that means,
since we had a eulachon proposal today,
talking about limits, you all know this,
when you're looking at eulachon, if you're
making oil, you need a lot of hooligan.
This really illustrates that with this
survey, in '96 in Klawock.

26 This last one is pounds per
27 capita statewide from the division of
28 subsistence surveys starting with the No. 1
29 community of Hughes going all the way down
30 to the No. 120 community of Anchorage, ten
31 pounds per person. This just illustrates
32 how important subsistence is for the rural
33 communities. These rural communities are
34 real -- really rely on wild foods for the
35 great majority of their protein. Yakutat's
36 sitting in a nice 39th place at just under
37 400 pounds per person.

38 That's all the slides I have.

39 One thing I'd like to say, this
40 project with the Yakutat Tribe conducted

1 this survey and asked a number of questions
2 they came up with that they want to ask.
3 I'd like to think this is the future of what
4 we're going to be doing in the future in
5 Southeast. More and more of the work we've
6 done in the past will be turned over to the
7 Tribes, our role will be more and more as a
8 consultant or advisor. We're the ones that
9 develop the survey forms. We can assist
10 Tribes with that. Then our data management
11 people, the computer people are the ones who
12 run all this data so we can do that. I
13 think more and more of the work will be --
14 hopefully more and more of the work will end
15 up in the hands of the Tribes and local
16 people. This is a real model project for
17 us.

 That's all I have.

18
19 MS. RAMOS: I just wanted to say
20 a few thank yous. First to my staff, which
21 Dora Chester assisted me doing the
22 interview, the big thank you to the people
23 of the community of Yakutat who spent all
24 this time sitting and answering all these
25 hundreds of questions. Thank you also to
26 Mike and Amy who really helped. Bob
27 Schroeder, who had to leave yesterday. And
28 also thank you to this Council and anyone
29 else who helped support this study.

30 Gun nux cheesh.
31 Are there any questions?

32
33 MS. GARZA: Mr. Littlefield?

34
35 MR. LITTLEFIELD: Good job. I
36 had just one question. One was to determine
37 the Native/non-Native, what criteria did you
38 use there, and I was interested in the
39 non-Native use of seals that was listed, and
40 I guess that's what kind of caught my eye?

41 MS. RAMOS: Well, Native
42 household has one person who is head of
43 household Native, and right now there's no
44 Native households harvesting seal, but there
45 are a lot of non-Natives that do receive
46 seal and seal oil. There was only four
47 households that responded to the seal
48 questions. We asked it of everyone.

1 Non-Native households declined to answer,
2 except four non-Native households answered
the questions about households.

3 No non-Native households
4 harvesting seal, but there are non-Native
households receiving seal oil or meat.

5 MR. TUREK: .4 for nonNative. I
6 think that was referring to liver. .4
percent of the seal is non-Natives prefer
the liver.

7 MS. GARZA: Thank you very much
8 for an excellent presentation. Thank you
very much.

9 (Applause.)

10 MR. CLARK: Madam Chair?

11 MS. GARZA: Mr. Clark?

12 MR. CLARK: I wanted to inform
13 people in the Council, Judy mentioned a
book, "The Subsistence Lifeways of the
14 Tlingit People." I just had about 100
copies of that printed. We've just about
15 run out of those. So we're actually going
to put in a larger order. So we'll have
more of those available very soon.

16 MS. GARZA: Item 11, Customary
17 Trade. We received the language the
committee pulled together over three
18 meetings buried somewhere at the bottom of
this pile. We had a committee that was to
19 meet. Did that committee meet?

20 Separate piece of paper not in
the packet.

21 MR. LITTLEFIELD: Where are we?

22 MS. GARZA: Customary trade.

23 MS. WILSON: Madam Chair, what
24 Tab and page?

25 MS. GARZA: There wasn't any Tab.
I'm sorry, I ripped mine up.
Tab F, page 3.

1 MR. LITTLEFIELD: Madam Chair,
2 members of the Council. Three members of
3 the Council met that evening to review
4 customary trade. We had an additional
5 Council member join for a few minutes. In
6 our talking about this, we basically felt
7 uncomfortable with almost all the language
8 here. It was an attempt to put restrictions
9 on a use that was within the margin of error
10 of information casting and use of all the
11 other species are so small that we're
12 talking about that we basically had trouble
13 with these numbers. So we did look at these
14 as directed in three parts, C-11, C-12, and
15 C-13 on the following page, page 4. And
16 what we decided to present to you is under
17 C-11, that the language be such, customary
18 trade would still be in bold, and then
19 following that you would strike the words
20 "between rural residents," and then add the
21 words "you may." So that first paragraph
22 would read like this: Customary trade: You
23 may exchange for cash of subsistence
24 harvested fish their parts or their eggs
25 legally taken under Federal subsistence
management regulations, period.

We felt that that was in a
customary traditional use that was pretty
hard to define what is customary trade for
one person may be completely and wildly
different by factors of thousands of
percent. So, it was real hard to do that.

So, our further recommendation on
C-12 was that that be deleted in its
entirety. That was also our recommendation
on C-13. We felt that the language of
ANILCA was adequate protection, if you are
doing your activities in the customary and
traditional way and you took them under
legal Federal subsistence management
regulations. In other words, you were only
allowed ten salmon, it would be quite hard
to legally sell 100,000 salmon. We saw it
as a nonproblem, and that is our
recommendation is that adopting C-11 and
that language, and deleting C-12 and C-13.

Is there a motion to accept the
recommendation of the committee?

1 MR. THOMAS: So moved.

2 MR. LITTLEFIELD: Second.

3 MS. GARZA: Moved by Mr. Thomas,
4 and seconded by Mr. Littlefield, the
5 language that recommendations of the
6 committee to strike completely A-12 and A-13
7 and under the first section which is 11 the
8 substitute language would be: Customary
9 trade: You may exchange for cash of
10 subsistence-harvested fish, their parts or
11 their eggs legally taken under Federal
12 subsistence management regulations.
13 Striking the rest of that sentence.

14 MR. LITTLEFIELD: That's correct,
15 Madam Chair.

16 MS. GARZA: Any discussion?

17 MR. THOMAS: Question.

18 MS. GARZA: Question has been
19 called on the motion to accept the
20 recommendation of the committee.
21 All in favor, signify by saying
22 "aye."

23 COUNCIL MEMBERS: Aye.

24 MS. GARZA: Opposed?
25 Motion passes.

Mr. Thomas, you will take this
forward to the Anchorage meeting.

MR. THOMAS: I will say the No. 1
representative in her own words said to
adopt without question.

MS. GARZA: Item 12, agency and
tribal reports.

Is there any agency member who
hasn't had a chance to talk?
Eric?

MR. VEACH: Madam Chairwoman,
Council members, Eric Veach,
Wrangell-St. Elias National Park.

MR. THOMAS: We just had a change

1 of gender in leadership here.

2 MR. VEACH: Excuse me.
3 Mr. Chairman, Regional Council members, Eric
4 Veach with Wrangell-St. Elias National Park.
5 I'd like to say to my knowledge this is the
6 first time the Wrangell-St. Elias National
7 Park staff has been able to attend one of
8 its Council sessions in its entirety. I'd
9 like to commend the Council. It's been an
10 interesting and exciting meeting. I hope
11 that we can participate more actively in the
12 future. Your interest in these proposals is
13 definitely admirable. We attend actually
14 three different Council meetings, Southeast,
15 Southcentral, and Southeast (sic). I'd like
16 to say this is the most exciting Council
17 meeting we've attended.

18 Three different points, I'd like
19 to give you a brief update on management
20 issues and acts within Wrangell-St. Elias
21 National Park within the last year,
22 fisheries report for Wrangell-St. Elias
23 National Park. I'd like to break into a
24 little more discussion of the status of the
25 work that we're performing in Drive A, and
the East Alsek River which occurs in the
Glacier Bay Preserve.

Start with a discussion or update
with Wrangell-St. Elias. New staff, Reid,
replaced Carl Mitchell. Steve Hunt as a
compliance specialist and he'll be really
active in planning for the part, two new
fisheries, Sandy Scotton, who has been here,
and Marly McCormick. We've added a
subsistence anthropologist this year, who
was able to work on Dry Bay. Like any
anthropologist, missed his clan, and he's
returned to Fairbanks and resigned. We'll
be advertising for a new fisheries
anthropologist soon.

One of the issues we see we're
going to have to address is ATV use in the
park. Most likely be starting an
environmental impact statement to address
these concerns and for the park to just come
up with a management plan for how we're
going to address subsistence ATV use for
both subsistence and recreation within the
park.

1 We'll also be beginning work on
2 advising the general management plan, for
3 those who are not familiar with the Park
4 Service general management plan, very
5 similar to a forest management plan, similar
6 to the Tongass Land Resource Management Plan
7 that you've helped with in the past. We'll
8 be seeking public comments.

9 I wanted to mention a couple of
10 points that came up in our Subsistence
11 Resource Commission workshop. We actually
12 held a workshop this fall instead of the
13 actual meeting, which was touched on briefly
14 this week. One of the things we discussed
15 was enacting a one-year minimum residency
16 zone community, before individuals in the
17 community could hunt in the park. A person
18 can move into one of the resident-zoned
19 communities and begin to hunt in the park
20 the following day, and move out of the
21 community at the end of the hunting season;
22 that's within the law. What we'd like to do
23 is to adjust that so that individuals would
24 have to maintain a one-year residency within
25 a resident-zoned community before they could
26 hunt. We think that that would tend to
27 limit the participation in hunting within
28 the park to folks who are more true
29 subsistence users versus folks that take up
30 residency so they can engage in subsistence
31 hunting.

32 Another idea that was discussed
33 at our subsistence resource Commission
34 workshop is developing a roster for
35 individuals within communities that have
36 customary and traditional use documented
37 within resident-zoned communities, and this
38 idea was popular with some of the smaller
39 communities, such as Metlakatla and not
40 popular with larger communities, like Copper
41 Center. Particularly the Copper Valley, the
42 community tend not to be very well defined
43 and they tend to blend together there. And
44 we just felt that at this time that it would
45 just be really too difficult of a task to
46 engage in. We might exclude people unfairly
47 if we did enter into some sort of a roster
48 exercise.

49 With that I'd kind of like to
50 move into a brief fisheries report for

1 Wrangell-St. Elias. We had one request for
2 an inseason management action. The park has
3 inseason management for the entire Copper
4 River, and we did receive a request to shut
5 down a commercial eulachon fishery at the
6 27-mile bridge in the Copper River. The
7 request was from the Native Village of Eyak.
8 Basically, the concern was we don't have
9 enough information on the eulachon at this
10 time to safely allow harvest of this
11 population. We did examine this request
12 closely. We felt there was a lot of merit
13 to this question request. Basically, Doug
14 McBride mentioned earlier today, they're
15 kind of a tricky critter to work with,
16 really difficult to understand the
17 populations and really determine if the
18 population is strong or not. We felt the
19 safest thing to look at in this case was the
20 effort. The effort in the commercial
21 fishery was very small. Three individuals
22 fishing one bank of one channel at a time.
23 At that point on the Copper River there's
24 actually three channels and eulachon are
25 swimming on both banks on all three channels
26 at any given time. We did travel to Cordova
27 and actually hire a local hire in Cordova,
28 and monitor this fishery for the entire
29 length which was about 14 days this year.
30 There were about 78 tons harvested.

16 MR. THOMAS: How many?

17 MR. VEACH: 78 tons, which to me
18 is very impressive. Three individuals with
19 small nets, just dipping this fish. For
20 them to harvest 78 tons within 14 days,
21 certainly was a lot of work.

22 Another project that we engaged
23 in this year was a Steelhead Harvest
24 Monitoring Project. We conducted this
25 project with the Copper River Native
26 Association. Steelhead in fish wheels
27 during the last two weeks of May. Last year
28 the Federal Board extended the subsistence
29 fishing season in the Copper River by two
30 weeks. The season now is May 15th instead
31 of June 1st. We didn't find any harvest of
32 steelhead within the two test nets we
33 monitored. There were only four fish

1 wheels, very difficult to fish in the Copper
2 River at the end of May, still a lot of ice
3 coming downstream. We'll continue this
4 project for two more years. Our feeling is
5 incidental steelhead harvest is probably not
6 a high concern in the Glennallen Subdistrict
7 of the Copper River.

8 Another project that we performed
9 this summer, we operated a fish weir again
10 at Tenana Creek. It's in the head waters in
11 the Copper River and floats out Tenana Lake.
12 At times this had a very large sockeye
13 population, as many as 28,000 fish. This
14 year we only observed about 1650 sockeyes
15 swimming upstream, which based on both
16 aerial counts and a few weir counts that
17 have been performed in the past, this is
18 potentially one of the smallest runs in
19 Tenana Creek since about 1962. It's a
20 system we're definitely keeping a close eye
21 on, we have a little bit of a concern, but
22 similar to some of the systems that were
23 discussed this week. A very dynamic system,
24 we don't necessarily think that's a cause
25 for a tremendous amount of concern at this
point.

14 We also performed a freshwater
15 fish inventory across the park. Traveling
16 to lakes and streams -- the park has very
17 limited information on species other than
18 salmon. We were interested in obtaining
19 both distribution and abundance of fish
20 species other than salmon throughout the
21 park, and we were able to sample about 30 --
22 I take that back, about 14 different water
23 sheds, on about 60 sites this summer.

19 I just wanted to mention too,
20 through these projects, we're able to employ
21 nine local hires, which I thought Council
22 member Littlefield, you'd be pleased at all
23 of these, were hired in connection with
24 Section 1308 ANILCA. We did have a few
25 volunteers out of the area, but the paid
positions were all filled by local folks.

23 With that, I'd like to move into
24 a brief discussion of the work in Dry Bay.

24 It was obvious from the
25 discussions earlier today that the Council
was very familiar with the issues of Dry
Bay. Obviously some of the concern is that

1 there's been a tremendous decline in these
2 sockeye population out there in recent years
3 from as many as 270,000 sockeye returning to
4 in the last couple years, population as low
5 as 20,000.

6 Glacier Bay National Park has
7 been approached by folks that would like to
8 do habitat enhancement in the East River to
9 restore the sockeye population, and habitat
10 enhancement within a National Park is
11 difficult -- a little more difficult than
12 the National Forest. When you look at the
13 organic act, it definitely limits our
14 ability to enhance habitat and do single
15 species management. It's not to say it's
16 impossible. Certainly, if that's something
17 we want to engage in, we need to have a lot
18 of information to be able to make a very
19 informed decision about the approach we want
20 to take.

21 And so we've generated, oh,
22 basically, two to four proposals, depending
23 on how you want to lump them or separate
24 them. One of them is the TEK study that was
25 described by Rachel Mason this week. As
26 Doug McBride mentioned that project has been
27 funded and it will be performed next year.

28 I want to mention that project is
29 extremely important as far as generating the
30 ability for us to seek funding and do future
31 work out at dry Bay. I was really exciting
32 to see Jude's presentation here -- Judy's
33 presentation here. The portion of the fish
34 that are removed from commercial catch and
35 still used for commercial purposes.

36 One of the issues that also we
37 kind of run into with Dry Bay is there's not
38 a lot of documented subsistence use at this
39 point. Some of the reason for that is that
40 traditionally folks have kept a portion of
41 their commercial catch to use for
42 subsistence, and that portion of the
43 commercial catch is now well documented.
44 I'm hopeful through the TEK project is that
45 portion of the commercial cap that's kept
46 and used to meet subsistence needs. I think
47 that definitely adds strength to our ability
48 to seek funding for some of these additional
49 projects down the road.

50 Doug gave an excellent discussion

1 of the second proposal that was submitted
2 for funding through FIS, review of
3 hydrologic fisheries data. I won't go into
4 a lot of depth in that project, like Doug
5 said, it -- it struck me to find a principal
6 investigator willing to take that project
7 on.

8 I do want to assure the Council,
9 we are working very hard to seek a principal
10 investigator for that project and hopefully
11 we'll be able to find one and have that
12 project submitted again and successfully
13 funded for 2004.

14 Another project that we are
15 working on in Dry Bay, actually I passed out
16 a couple of handouts here, this is kind of
17 just a one-page handout. The Council
18 doesn't need to take any action, just for
19 your information, basically we're looking at
20 putting together a contract to digitize the
21 georeference of four sets of aerial photos.
22 What we hope to do with this is to document
23 how the extent of estuary has changed over
24 time. We think potentially with the uplift
25 that's occurring, the size of the estuary
26 may be shrinking, the diminished size of the
27 estuary may be some of what's reducing the
28 population.

29 Another project that we have that
30 we're working to get funded still at this
31 point is a senior thesis program in
32 cooperation with the U.S.G.S. and this
33 project would perform six weeks of
34 hydrologic work just collecting some basic
35 baseline data tied to flows and ground water
36 input into the East River system.

37 We're certainly working closely
38 with both other managers and scientists,
39 obviously working with Bert Adams real
40 closely. We also keep in contact with Ben
41 Van Alen and Gordon Woods.

42 With that, that concludes my
43 discussion of Dry Bay, and actually,
44 concludes my report.

45 Do you have any questions for me?

46 MS. GARZA: Mr. Thomas?

47 MR. THOMAS: Yeah, that was an
48 excellent report. It was really

1 comprehensive, well designed. You said
2 everything you needed to say.

3 I have a question with regards to
4 the eulachon fishery on the Copper River.
5 It was told to me one time that there was
6 kind of a pumping operation out of there.
7 Does that still continue?

8 MR. VEACH: My understanding is
9 they attempted a pumping observation and
10 that was not successful. And what the
11 commercial fishery does do now is they have
12 more of -- probably the best way to describe
13 it is a conveyer belt, the three individuals
14 that are fishing stand on the bank and they
15 have essentially a trawl behind them that
16 has water flow go through it. They take the
17 contents of the dip net, put it behind them,
18 the water flush the eulachon to the conveyer
19 belt. The conveyer picks them up and dumps
20 them into a tote and dumps them into the
21 truck.

22 MR. THOMAS: What regulation are
23 they fishing under?

24 MR. VEACH: I have to admit when
25 I saw the request to close it, I was
26 surprised. I wasn't aware there was a
27 commercial hooligan. It's actually an
28 Alaska Department of Fish & Game test for
29 fishery. A lot of folks refer to it as
30 commercial fishery. I was informed about
31 there -- there was debate whether it is
32 technically a commercial fishery. They fish
33 under a single permit issued by the
34 Department of Fish & Game and I don't know,
35 as far as the regulations --

36 MR. THOMAS: Test fishery, the
37 fish is then given to somebody or thrown
38 away.

39 MR. VEACH: The marine mammals
40 program, used for marine mammals, and some
41 of it sold --

42 MR. THOMAS: Who realizes the
43 money from it?

1 MR. VEACH: I am not --

2 MR. THOMAS: That's okay. I just
3 wanted the questions out for something to
4 consider.

5 Thank you.

6 MS. GARZA: Bill, from my
7 understanding of the process of test
8 fisheries, we've seen them start as test
9 fishery, and then become major fisheries,
10 that's the first step in commercializing the
11 fishery. ADF&G can't formally create it as
12 a commercial fishery. They may not have
13 some of the biological background that they
14 need. They start with a test fishery.
15 After five years, it goes into a commercial
16 fishery. It was a major concern for people
17 of Cordova.

18 MR. THOMAS: Mike?

19 MR. DOUVILLE: Thanks, Madam
20 Chair. I have a question for you on this
21 test fishery. How many years has it been
22 taking place?

23 MR. VEACH: This is the third
24 year that it's actually been operated. It
25 was operated in '98, '99 and didn't occur in
2000 and did occur in 2001.

26 MR. DOUVILLE: Harvest limits,
27 the harvest similar each year? Do you have
28 those numbers?

29 MR. VEACH: You know, I didn't
30 bring the harvest numbers for '98 with me.
31 In '99 I believe it was about 89 tons, and
32 then one year it was 78 tons. They are
33 actually allowed up to 150 tons under this
34 test fishery.

35 MR. DOUVILLE: It's really
36 amazing to me, three little dip nets you can
37 harvest five-and-a-half tons a day.

38 MS. GARZA: From my understanding
39 in talking with Mark Kike, who is from
40 Cordova, who kind of drove out to get his
41 eulachon and found this operation in effect

1 was initially they thought they could take
2 action through this process. Then they were
3 told they couldn't take action. They tried
4 to figure out how to go through ADF&G. They
5 said it had to go through the Board of Fish.
6 They're dealing with it now because it's a
7 test fishery, not a commercial fishery. It
8 makes it a little dicey. Technically they
9 could cancel the test fishery. It's whether
10 or not they feel it's necessary to cancel
11 the test fishery.

12 It's a word game. That's my
13 read.

14 MR. VEACH: Would you like me to
15 respond to that, Madam Chairman?

16 I might mention, on the Federal
17 side of the question, basically our
18 authority is limited to closing the fishery
19 in response to one area of conservation
20 concern or two, an allocation of
21 nonsubsistence users. We did work closely
22 with the Native Village of Eyak and also the
23 Chairman, Ralph Lohse, the Southcentral
24 Regional Council, basically we -- no one
25 really -- no one was comfortable saying that
26 their subsistence needs were undermet.
27 There was a tremendous number of eulachon in
28 Cordova this year. They arrived early in
29 several of the streams, and everyone was
30 comfortable that the subsistence need was
31 met. What we needed to look at was whether
32 or not there would be a conservation concern
33 from harvesting these fish.

34 That's a difficult call to make.
35 That's certainly some of the reasons that we
36 definitely wanted to have a person
37 monitoring the commercial fishery basically
38 every hour that it was in operation.

39 But we just felt that based on
40 the limited effort there it still allowed
41 for an adequate amount of escapement of
42 eulachon upstream.

43 MR. THOMAS: I wonder if that
44 subsistence --

45 MS. GARZA: That's one of the
46 reasons that I really strongly supported
47 Proposal 41 is we need to through a permit

1 to demonstrate what our subsistence needs
2 are because the demand for eulachon for
3 marine mammals in captivity is humongous.
4 They could take all of our eulachon and not
5 feed all of the animals that are in whatever
6 marine parks they're in.

7 MS. WILSON: Madam Chair?

8 MS. GARZA: Marilyn?

9 MS. WILSON: I wanted a quick
10 question here. How do these fishermen catch
11 the eulachons? What method do they use?

12 MR. VEACH: Both the commercial
13 and subsistence fishermen that I observed
14 were using small dip nets. Dip nets
15 probably 18 inches or so or even less in
16 diameter. And they're just standing onshore
17 and dipping these fish.

18 MS. WILSON: Thank you.

19 MR. THOMAS: I think she ought to
20 use a bigger mesh.

21 MS. GARZA: Thank you, Eric.

22 MR. THOMAS: Thank you Eric.

23 MS. GARZA: Are there other
24 agency reports?

25 MR. THOMAS: If they, they got to
be that precise.

MS. GARZA: At Sitka meeting, we
did ask for a report from enforcement to get
a handle on that. So we do have a report.

MR. STOKES: Now it's coming to
the commercial, John Burick Act, Forest
Service, law enforcement.

MR. BURICK: I'd just like to go
over real quick an overview of the law
enforcement program as it pertains to
subsistence management.

1 MS. GARZA: We'll fill some
2 space. Mike.

3 MR. BURICK: Sorry about that.
4 Just wanted to run through real
5 briefly our program, what our task is, put
6 the rifle down.

7 Okay. Our mission has been to
8 protect the Fish & Wildlife resources under
9 Federal jurisdiction and to protect and
10 provide the subsistence priority for rural
11 Alaskan residents established under ANILCA,
12 Title VIII.

13 We've got a number of strategic
14 points. I want to go through these. This
15 is our law enforcement organization as it
16 stands today. On the right-hand side we
17 have two divisions; we have an enforcement
18 division and an investigation division. We
19 have a couple agents all stationed in
20 Juneau, and then we have divided the Tongass
21 and Chugach into three zones, essentially
22 Tongass is divided into two, North and
23 Central, then you have the South.

24 Under each zone we have what we
25 call control commander who would essentially
be like my supervisor. Under there we have
lead law enforcement officers such as myself
who address the subsistence issues, and then
we have LEOs or law enforcement officers
underneath the patrol captains as well.

One of our strategies is to
protect rural subsistence priority on public
lands. Through this, we'll analyze and
review subsistence regulations for potential
conflicts.

Provide proposals for regulatory
changes, mitigate user conflicts, and assess
user impacts.

Provide education programs to
internal and external cooperators and users.
Develop presentations on regulations. Meet
with organizations and community groups,
field contacts, and assist with proposal
preparation.

Strategy obviously is to enforce
Federal subsistence regulations. We'll
patrol high-use areas for abuses of known
areas, assist with implementation of
emergency closure and ensure compliance.

1 And to enforce state Fish & Game laws within
2 the scope of our Alaska peace officer
3 Commissions and Federal regulations.

4 Maintain Commission status for
5 officers, train new officers, provide for
6 recurrency training, and conduct joint
7 agency patrols. And enforce policy under
8 State law as well as Federal subsistence.

9 Manage and coordinate Federal law
10 enforcement efforts with state and local law
11 enforcement. Coordinate applications of
12 Federal regulations, educate state and local
13 agencies on regulations, and conduct joint
14 patrols with the State.

15 Assist in mitigating differences
16 between Federal and State law.

17 Participation in regulatory process with
18 State Boards, work with the State Attorney
19 General's office on issues of regulatory
20 conflicts, and coordinate differences with
21 local law enforcement.

22 Monitor harvests, foot patrols,
23 boat patrols, vehicle patrols, and aircraft
24 patrols through Southeast.

25 Identify potential user
conflicts, contact and document user groups,
attend community meetings, follow up on
reports of user conflicts. Report conflicts
to Federal Subsistence Board, and monitor
commercial activities for conflicts.

Develop regulation changes,
participate in proposal reviews, propose
changes to Federal register, participate in
staff and board meetings, and participate in
regional advisory committee meetings.
Participate in emergency closure process.

In summary, the U.S. Forest
Service law enforcement is dedicated to the
protection of fish & wildlife resources on
Federal lands and to protection of Federal
subsistence rights for rural Alaskans.

I'd like to go over what we've
covered this year under the new proposal.

Madam Chair, Council, just --
we've presented you with an overview of the
law enforcement and strategy to implement
and protect the Federal subsistence
opportunities and the application of
regulatory responsibilities. As you can
see, our current staff to address the

1 strategy is very limited and getting into
2 all these areas affected within the 17
3 million acres of the Tongass is a daunting
task, but we're committed to doing our part
to make the system work.

4 With -- we've recently hired
5 three lead law enforcement officers, two
6 others such as myself that have primary
responsibility as the Federal subsistence
management, and we've had the opportunity to
fully engage in the process with communities
and cooperators.

7 Some of our accomplishments for
8 this year, last year the Regional Advisory
Council presented a regulation passed by the
Federal Subsistence Board restricting the
9 use of nets for subsistence above the Sakar
Bridge on Prince of Wales Island. As the
10 Council felt this was an important issue to
implement, the Forest Service law
11 enforcement organization developed a plan to
ensure compliance with the regulation in the
12 area. Because a state subsistence permit
was required to subsistence fish on the
13 Sakar, we requested the State to modify
their subsistence/personal-use permit to
14 reflect the change in Federal regulation
restricting the gear type to all users. The
15 State declined to make these changes to
their permit and a great deal of effort was
16 made on the Forest Service to publicize the
change as many people -- to as many people
17 as possible. An effort was made to be in
the Sakar area during the peak fishing
18 period in July and found that very little
fishing pressure was in the area. And there
19 were no violations issued while there.

20 Officers also patrolled roads
checking other systems on Prince of Wales
that may have been impacted to shift moving
21 from Sakar to other areas, Hatchery Creek,
Log Jam Creek, Thorne River, Staney Creek,
22 Luck Lake, and Eagle Creek. They contacted
a number of fishers, but none of them stated
23 they were in the process of subsistence
fishing. They were State fishing. Officers
24 also checked folks in Dog Salmon and Polk
Inlet and again found that people were found
25 under State regulations versus subsistence.

Bay of Pillars and Kutlaku Creek

1 were checked as well and no activity at the
2 time the officers were over there. Officers
3 monitored inseason closure of Redoubt and
4 Salmon Lakes and did not note any violations
5 in that area as well investigated report of
6 abuse at Salmon and Ford Arm. Officers were
7 not able to verify reports of overharvest
8 and wastage. This involved a credible
9 report of wastage of Dolly Varden and
10 overharvest of steelhead.

11 Officers received several reports
12 of overharvest and illegal gear type at Klag
13 after the season. Creel census takers
14 reported that some users actually reported
15 overharvest, but the census takers did not
16 report the violations until after the end of
17 the season.

18 There were some reports that the
19 fishers were not cooperating with the creel
20 census takers as well.

21 Reports this year of conflicts
22 between subsistence fisher's and guided
23 anglers were minimal. Last year there were
24 several reports. Officers conducted several
25 patrols to high-use coho areas and notes
lots of use, but no conflicts.

14 Officers assisted user was
15 developing regulatory proposals were engaged
16 in several community meets, regional Council
17 meets, staff committee meeting, subsistence
18 Board meetings, both State and Federal
19 throughout the year. Mr. Chair, Council,
20 this forum for proposing new and changing
21 old regulations within the Federal system a
22 unique opportunity to meet the rural needs
23 of Southeast Alaska people. With this
24 ability, there is added responsibility to
25 promote user compliance of these regulations
to assure their viability. Law enforcement
relies heavily on community support because
of the vast areas that need to be covered.
The focus of the Forest Service law
enforcement is to support the community
unless protecting their subsistence priority
and within that framework adequately address
the abuses by any users who take fish.

24 Thank you.

25 If there's any questions, I'll
try to answer those.

1 MS. GARZA: Thank you.
2 Mr. Douville?

3 MR. DOUVILLE: Thank you, Madam
4 Chair. In the Sakar system, now that I see
5 where the line is drawn defining Federal and
6 State, if you have a State permit you're
7 still okay in Federal water, right, as long
8 as you stay below the bridge? It overlaps?

9 MR. BURICK: That's correct.
10 Below the bridge.

11 MR. DOUVILLE: However, if you
12 only have a Federal permit you're not good
13 to go?

14 MR. BURICK: That's correct.

15 MR. DOUVILLE: Below the line.

16 MR. KOOKESH: My question is, I
17 note on your fourth paragraph, you asked the
18 State to modify their subsistence personal
19 use permit and the State declined. Can you
20 explain that process a little bit as to why?

21 MR. BURICK: I don't know if I
22 can really explain the process why. The
23 State was issuing permits and what they were
24 doing was they were handing out a notice in
25 there that stated that the Federal
Government may have changed the regulations
instead of just notifying the user that the
Federal Government had changed the
regulations for that system. It ended up
being a little bit of a conflict. It took
quite a bit of PR to let folks know that
there was, indeed, a change to that system.

26 MS. GARZA: So, what was
27 enforcement's activity during the Unuk River
28 eulachon fishery?

29 MR. BURICK: We did have an
30 individual law enforcement go out there with
31 the biologist and monitor some of the
32 fishing that was occurring.

33 MR. THOMAS: Madam Chair?

1

MS. GARZA: Bill, then Floyd?

2

MR. THOMAS: I'd like to preface my question by some comments. With the end of last year's brouhaha what with the eulachon in Ketchikan, we experienced our first comparison with State and Federal jurisdiction that just occurred a few months earlier. And for the last couple of years, the Forest Service has been recruiting and putting together a law enforcement program which is still -- to the best of my understanding, is still in its formation stages, and as they get information, as circumstances present themselves, they see this as an area that they need to familiarize themselves with and then find some strategy to address those, and they've been diligently working on that. There have been embarrassing moments in the process. I think we got past though, and so I am encouraged by what I'm seeing with regards to law enforcement.

My question is: Do you feel like personnel-wise that you have enough people to have adequate observations or monitoring or checks or, you know, things like that?

I'm just saying in case we had a severe violation problem, realizing -- I can't think of any violation necessarily right now, but I'm just thinking if there was -- if there was a -- oh, several instances of violations occurring in different places, are you folks staffed enough to address those?

19

MR. BURICK: Mr. Chairman, at this present time, our goal, our mission for the law enforcement organization is to establish one law enforcement officer per district, if you will, throughout the Tongass. You're asking if that is adequate to cover the 17 million acres that the Forest Service is charged with keeping the peace, if you will. My answer would be that probably not. If we started to see a number of violations in one particular area, what we would do depending on the time frame would probably be to move or shuffle some

1 folks down based on, let me say, a July
2 sockeye fishing area and shuttle folks down
and try to cover that need.

3 MR. THOMAS: Thank you.

4 MS. GARZA: Floyd?

5 MR. KOOKESH: My question was in
6 line with Chairman Thomas'. What I was
7 going to ask is how many law enforcement
officers are there on the payroll as of
today?

8 MR. BURICK: Within our law
9 enforcement investigation department, we
10 have 23 individuals within our division
right now. Of that, there are three
investigators and one staff person.

11 MS. GARZA: Okay. We still have
12 a lot to cover before you guys are getting
on this jet tonight.

13 So we need to move along.
14 Thank you very much.
Are there other agency reports?
Mike?

15 MR. TUREK: Madam Chair, Council
16 members, I'll be very brief, but I just want
17 to fill you in on some recent developments
in our office. I did hand out earlier a
18 couple of days ago a report to you about the
subsistence division's activities in the
19 past year, and primarily I listed the
projects we're working on and I spoke enough
20 about those. You've got a good idea of what
we're doing. If you read this and would
21 like to get more information, just contact
me. What I would like to do is mention that
22 we have a couple of new staff people in the
office this year. We hired a new
23 researcher, Nancy Ratner; and Nancy has a
Bachelor of Science degree in natural
24 resource management and Master of Science in
natural resource management with an emphasis
25 on cross-cultural communications. She also
attended traditional ecological knowledge
workshops, had conducted independent
research in Alaska Tlingit traditional

1 ecological knowledge.

2 From 1981 to 1989 she worked as a
3 fisheries biologist with Fish & Game,
4 commercial fish division in remote Southeast
5 Alaska locations, particularly on the
6 Stikine River. Most recently Nancy worked
7 for the sport fish division conducting creel
8 surveys in Juneau/Douglas area. She's also
9 worked as a commercial fisher, power trawler
10 in Southeast Alaska. Her husband owns a
11 fishing boat and still does trawl. She's
12 been a subsistence hunter and fisher over 20
13 years. They have a cabin in Mitchell Bay in
14 Angoon. This past summer, Nancy was the
15 lead person on our TEK project in Klawock.

16 We also hired a temporary hire
17 this summer, Nathan Sobeleff. He graduated
18 from college with a degree in social science
19 with an emphasis on resource management.
20 And Nathan in the past while at college
21 worked for Forestry, Sealaska, and BIA.
22 This past summer, Nathan worked on the Kake
23 TEK project and also working on the
24 customary and traditional use determination
25 project. Nathan was a temporary hire we
just recently terminated. We're hiring an
RS-1, beginning entry level researcher and
Nathan has applied for that job; he may get
that. Hopefully, he'll be back on our staff
this fall, shortly. You may recognize, him
from a well-known Southeast family. It's
nice to have a young person in our office,
and so that's really what I wanted to
mention.

18 I did hand these out. I have
19 more copies of this if anybody misplaced
20 their copy and if they want to talk to me
21 about some of these projects in detail, we
22 can do that.

23 I don't want to take much more of
24 your time. I think as Bill mentioned,
25 you've probably seen enough of me already.
I know when to step down.

Thank you.

23 If you have any questions, I'll
24 be willing to answer questions.

24 MR. THOMAS: I have a question.

25 MS. GARZA: Is it short.

1
2 MR. THOMAS: You talked about
3 having young people in the staff. Is that
4 implying you have something against older
5 people?

6 MR. TUREK: Well, our staff is
7 sort of made up of not Elders yet, but upper
8 middle age.

9 MR. THOMAS: Thank you.

10 MS. GARZA: Thank you, Mike.
11 Good to have you here. You missed one day,
12 I -- you missed one meeting. I guess you
13 were sick. Glad to see you again.
14 Other agency reports?
15 Cool.

16 (Laughter.)

17 MS. GARZA: Call for proposals to
18 change Federal subsistence wildlife
19 regulations, Tab G.

20 Under 12, also Agency and tribal
21 Reports. Any tribal reports?
22 Okay.

23 MS. CRAIG: Madam Chairman?

24 MS. GARZA: Mr. Clark?

25 MR. CLARK: Office of Subsistence
Management mailed out many, many, many,
many, people, I don't know how many hundreds
of copies they sent out for a call for
proposal. The proposal period started the
20th of September and runs through October
26th, 2001. This is the call for proposal
for wildlife regulations, changes. The
whole thing is in your booklet. We have
received one proposal form so far at this
meeting from Brian Merit of Wrangell. Dick
Stokes brought it along, so now we have one
on the docket. This is for limiting the
number of people a proxy hunter can hunt
for.

I have a few copies, but we're
just about out of paper on the copy machine.
So as these things come in, we'll let the

1 Council know what's coming and how they're
2 being developed. If the Council wants to
3 make particular proposals, they're welcome
4 to do so at this meeting, or to send them in
5 individually, or whatever.

Thank you.

6
7 MS. GARZA: Mr. Douville -- wait,
8 wait. The deadline is October 26th. The
9 end of next week.

10 MR. CLARK: That's correct.

11
12 MR. DOUVILLE: Thank you, Madam
13 Chair. Fred, my question is proxy State
14 system and is the Federal system designate
15 the hunter -- designated hunter?

16 MR. CLARK: The proxy would be to
17 change the Federal regulation which is the
18 designated hunter provision in our
19 regulations. That's correct.

20 MS. GARZA: There have been, I
21 think, at least one maybe two instances
22 where this Council did submit a proposal as
23 a Council regarding game issues. I don't
24 know if anyone here has brought any issues
25 to the table.

I met with the four Tribes from
Prince of Wales and they couldn't come up
with anything, their concerns were with
State regs.

So anything anyone wishes to
bring up at this time regarding game.

Mr. Littlefield?

19 MR. LITTLEFIELD: Madam Chair, I
20 received a copy of this division of wildlife
21 sent -- report we had earlier sent to the
22 advisory committee members on the Board of
23 Game, has every one received a copy of that?

24 MS. GARZA: What does it look
25 like?

State of Alaska over the top. A
questionnaire that I asked earlier, and I
hope everybody got a copy of it. As I look
through this, I consider these questions not
to be cultural. They are asking a

1 sportsman-type mode and I do not believe
2 that they were culturally correct when they
3 were formed. In other words, State of
4 Division of Education department addresses
5 cultural questions. You get the answer you
6 want by asking them where Native people
7 don't understand. These probably could have
8 been phrased a little bit better and there
9 are some additions that I would ask. I want
10 to go on record that I oppose this format
11 for collecting the information from the
12 advisory Councils.

13 Certainly, we need to be involved
14 in those meetings.

15 Mr. Littlefield, do you wish to
16 make a motion regarding this survey form so
17 that when the Board of Game receives the
18 data from the survey form, they will
19 understand the concerns of the Council?

20 MR. LITTLEFIELD: That's correct,
21 Madam Chairman.

22 MR. THOMAS: Second.

23 MS. GARZA: You seconded
24 everything he said.

25 So we will send a letter to the
Board of Game as part of the public process
when they consider shooting from a boat in
game management Unit 4 at their January,
February, March, I can't remember what
meeting in Anchorage that we are very
concerned about the survey form. It is not
a neutral survey form, and we're very
concerned about any results from it.

26 All in favor of the motion,
27 signify by saying "aye."

28 COUNCIL MEMBERS: Aye.

29 MS. GARZA: Opposed?
30 Motion passes.

31 Were there any issues on game
32 regarding Council proposals for the call for
33 proposals with the October 26th deadline?
34 If you -- you are still welcome to submit
35 them in your community. You might when you
get home, check with your Council and see if
they need anything that they might need help

1 with.

Mr. Littlefield?

2

3 MR. LITTLEFIELD: I had another
4 withdrawn proposal that was withdrawn. I
5 will address that separately. For the
6 information of the Council, it was to delete
7 the requirement of paying the State fees, as
8 we have done under a fishing permit. There
is no cost for a Federally qualified
subsistence fisherman to fish. I think it's
equally the same applicable. There should
be no reason for you to pay for a permit to
take a deer or other species. So I will be
submitting that before the date.

9

MS. GARZA: Moving on to Item

14 --

10

Patricia.

11

MS. PHILLIPS: Would it be all
right to do a proposal to the Board of Fish
to establish C and T for cohos?

12

13

MS. GARZA: Under Item 14, we're
looking at call for proposals for game. So
we could bring that up as a new item.

14

15

MS. PHILLIPS: Later.

16

MS. GARZA: We'll add that to
new -- 16, under new business.

17

Board of Fish proposal.

18

I will move on to the Item 14
Regional Advisory Council charter review and
identification of any changes, Tab H.

19

Mr. Clark?

20

MR. CLARK: Thank you, Madam
Chair. Every two years the Council's
charter is up for renewal so we distribute
the charter to have the Council look at it
to see if you think there are any changes
that are necessary.

21

22

23

The Council made no changes the
last time around. There was a small change
one time before that. Generally there
aren't many changes, but you do have that
opportunity.

24

It consists of only 11 items to

25

1 go through. There's the official
2 designation objectives and scope of the
3 activity, period of time necessary, I don't
4 feel it's necessary to go through the whole
5 thing in detail. So the Council has
6 suggestions for changes, we're open for
7 those.

8 MS. GARZA: Mr. Littlefield?

9 MR. LITTLEFIELD: Madam Chair,
10 specific to the charter of the Southeast
11 Alaska Regional Advisory Council. As I look
12 at this, on page 2 under 9, membership, the
13 Council membership, it says: The Secretary
14 of Interior will appoint members based on
15 the recommendations of the FSB and with the
16 concurrence of the Secretary of Agriculture.
17 For this region, I believe those two
18 Secretaries should be carrying around,
19 predominant, 99 percent of the available
20 land in Southeast is -- is eligible for
21 subsistence under the supervision of the
22 Secretary of Agriculture and not Interior.

23 MS. GARZA: Are you making a
24 motion?

25 MR. LITTLEFIELD: For the
purposes of discussion, I certainly will. I
will change those two, Secretary of Interior
will become Agriculture, and Secretary of
Agriculture, Interior, and I so move.

MS. PHILLIPS: Second.

MS. GARZA: Seconded by Patricia.
Under Item 9 on page 2 would now read: The
Secretary of the Agriculture will appoint
members based on the recommendation of the
Federal Subsistence Board in concurrence
with the Secretary of the Interior.

Discussion?

MS. WILSON: Question.

MS. GARZA: Question has been
called. All in favor, signify by saying
"aye."

COUNCIL MEMBERS: Aye.

1

MS. GARZA: Opposed?

2

In reviewing the duties of the Council, I don't see the review of the FIS research proposals, and we may want to make that clear unless it is in there and I didn't see it.

3

4

MR. CLARK: Madam Chair, the duties as listed under No. VI taken directly from ANILCA.

5

6

Not quite. I don't think it's in 5, 6, 7, and 8.

7

8

So, staff doesn't see any problem with adding that.

9

10

MS. GARZA: So, I would like for a motion to add 9 under duties that the Council will review and make recommendations regarding the FIS proposal funding. Which is what we're doing. If it's not in here, then it's possible that it could be removed from us.

11

12

13

MS. PHILLIPS: Second.

14

MS. GARZA: I have to look for a motion first, material.

15

16

MR. LITTLEFIELD: So moved.

17

MS. GARZA: Moved by Littlefield.

18

MS. PHILLIPS: Seconded.

19

20

MS. GARZA: Passed by Patricia -- we would have a 9 that would say we're involved with an FIS proposal process.

21

22

MR. CLARK: When you talked about it before, you only talked about budgets. Did you also want to put in reviewing projects too?

23

24

MS. GARZA: Projects and budgets? It was projects and budgets, right?

25

MS. PHILLIPS: I -- yes, projects and budgets.

1 MS. GARZA: Yeah, thanks, Fred.
2 Any discussion?

3 MS. WILSON: Madam Chair?

4 MS. GARZA: Marilyn?

5 MS. WILSON: I just need the
6 motion read again, because I don't know what
7 the motion is really.

8 MS. GARZA: Under 9 that we would
9 make recommendations on the proposals and
10 budgets to be funded through the FIS
11 process.

12 Okie-dokey.
13 Question was called by Harold.

14 MR. MARTIN: Yes.

15 MS. GARZA: All in favor, signify
16 by saying "aye."

17 COUNCIL MEMBERS: Aye.

18 MS. GARZA: Opposed?
19 Are there any foreseeable changes
20 to the charter?

21 MR. KOOKESH: Aye.
22 I'd like to refer to No. 6. On
23 No. 6, Mr. Clark stated that it was the
24 duties of the Council was taken out of
25 ANILCA, and I note that under 6-1, the Board
initiate is in this. I don't see it in the
ANILCA provision. The Board before review
is "the" I don't see initiate in there.

MS. GARZA: We want to initiate.

MR. KOOKESH: It's not in ANILCA,
that's all I'm saying.

MR. THOMAS: We're amending
ANILCA.

MR. KOOKESH: There's an
amendment to ANILCA?

1 MS. GARZA: Just ignore him,
Sandy.

2 Hearing no other suggestions --
Marilyn.

3 MS. WILSON: I'm sorry. I was
4 wondering if we could add to that same
number, modify, because that's what we do a
5 lot of. Is that legal? Modify within
reason. In duties of the Council, 6 in
6 parenthesis one, initiate, review evaluate
and modify proposals?

7 No?

8 MR. CLARK: I think that
modification is covered under
9 recommendations, because your
recommendations can include a modification
10 or take it as it is or completely eliminate
it.

11 MS. GARZA: Okay.

12 MR. KOOKESH: Question.
13 Madam Chairman, I thought it was
the position of the staff to do the
14 reviews -- the initiation, excuse me, that
process.

15 MR. CLARK: Well, it's the staff
16 job to provide information for you to go
over. It's in the book. It's been there
17 for you to look at, and now you're going
over it. That's what you have to do, look
18 at the material and see if you want to
change it. That's the Council's job.

19 MR. MARTIN: Madam Chair?

20 MS. GARZA: Yes.

21 MR. MARTIN: I don't see anything
22 in here. Maybe I'm missing something, but
my understanding that the proposals are
23 supposed to come through the Council before
they go to the Board, subsistence board.
24 I'm wondering why some proposals went to the
Board first and they withdrew some of these
25 and came back.

1 MR. CLARK: Madam Chair, Harold.
2 The process is that proposals come in to
3 Federal Subsistence Board. When you make a
4 proposal, it's sent in to the Board, and the
5 staff of the Board, the Office of
6 Subsistence Management, the rest of the
7 Federal agency staff then compile that into
8 a booklet that is distributed statewide.
9 The Council members get that at the same
10 time as everybody else for review.

11 It's that step in between of
12 receiving proposals and shipping them out in
13 the booklet and sometimes afterwards where
14 the Board, through it's -- generally through
15 its staff make a call about whether
16 something should really be in the proposals
17 or not. And that's what the Council has
18 been having heartburn with, is that step, my
19 understanding.

20 So the proposals go up for
21 review, then the analysis is done, and then
22 the analysis is set up -- sent out to the
23 Council and to the public.

24 That's the process.

25 MR. THOMAS: Madam Chair?

26 MS. GARZA: Mr. Thomas?

27 MR. THOMAS: I don't have any
28 problem with that. I think, though, that
29 the public that do submit proposals, I don't
30 know how obvious that information is
31 unless -- because I've had people tell me we
32 submitted proposals and you'll be getting
33 them as a Council member. Just so some of
34 the feedback I got from members of the
35 public was of the impression that whenever
36 they submitted a proposal, that it would be
37 on our agenda whenever we met. But if -- I
38 think they should be aware of the possible
39 determinations by the staff committee or the
40 people that's involved with the Federal
41 Board that this -- there's a possibility
42 that these are subject to this type of
43 review and action.

44 MR. CLARK: Thank you, Bill, for
45 those comments. They're in the record and
46 they'll be passed up the chain.

1

MS. GARZA: Mr. Littlefield?

2

MR. LITTLEFIELD: Thank you, Madam Chair. If we look at the language of No. 4, this is what our charter is that actually gives the Federal Subsistence Board authority over us. In other words, the actual language of ANILCA said that the Regional Advisory Council reports to the Secretary, and I would like to see this turned around to say that the Council reports to the Secretary of Agriculture who with the concurrence of the Secretary of the Interior administrative of the subsistence Board. That's what the law says, we're reporting to the Board, that's not our charter. The charter is to report to the secretary.

10

11

MS. GARZA: Fred?

12

MR. CLARK: My understanding is that this is one of those items that has been delegated to the Board by the Secretary. You're welcome to put it in there and certainly get some discussion among staff and they could provide rationale as to why they don't want to put it in.

13

14

15

16

MS. GARZA: Is there a motion?

17

MR. LITTLEFIELD: Yes, Madam Chair, I would like to move to do that, that the officials to whom the Council report be shown as the Secretary of Agriculture and revise the sentence with the concurrence of the Secretary of the Interior and administrative support by the Federal Subsistence Board.

18

19

20

21

MR. THOMAS: Second.

22

MS. GARZA: It's been moved and seconded to change 4 that the Council reports to the Federal -- to the Secretary of Agriculture in concurrence to the Department of Interior, blah, blah, blah.

23

24

25

MR. THOMAS: I don't second the

1 blahs.

2 (Laughter.)

3 MR. THOMAS: Madam Chair?

4 MS. GARZA: Marilyn?

5 MS. WILSON: There's several
6 places which mentions the Secretary. Do we
7 change it in all these spots, and also is it
8 in our Title VIII when we talk about the
9 Secretary in there? I thought they meant
10 the Secretary of Interior.

11 MS. GARZA: I think that if we
12 vote on this and we change it to
13 Agriculture, then we can take action on
14 that.

15 Mr. Littlefield?

16 MR. LITTLEFIELD: Madam Chair,
17 specifically under Title 1, definitions of
18 Secretary, No. 12, the term Secretary means
19 the Secretary of the Interior except that
20 when such term is used with respect in any
21 unit of the National Forest Service system
22 such term means the Secretary of Agriculture
23 and that's what all this discussion is about
24 in my mind.

25 This is the force.

 MS. GARZA: Further discussion on
the amendment?

 MR. THOMAS: Question.

 MS. GARZA: Question has been
called. All in favor, signify by saying
"aye."

 COUNCIL MEMBERS: Aye.

 MS. GARZA: Opposed?
The amendment passes.

 We have three amendments to this
24 charter. Is there a motion to accept the
25 charter as amended?

 MR. LITTLEFIELD: So moved, Madam

1 Chair.

2 MR. THOMAS: Second.

3 MS. GARZA: Question.

4 MS. RUDOLPH: Question.

5 MS. GARZA: Question has been
6 called. All in favor, signify by saying
"aye."

7 COUNCIL MEMBERS: Aye.

8 MS. GARZA: Opposed?
9 Okay.
10 Wrangell-St. Elias National Park
Subsistence Resource Council appointment,
Item 15.

11 MR. CLARK: Madam Chairman?

12 MS. GARZA: Fred?

13 MR. CLARK: Bert Adams is the
14 current appointee from the Council serving
on the Wrangell-St. Elias National Parks
15 Regional Subsistence Council. This comes up
every -- I don't remember if it's every year
16 or every two years. I think it's every two
years.
17 So, with that I give it to the
Council.

18 MS. GARZA: Has anyone spoken to
19 Bert to know if he wants to continue?

20 MR. THOMAS: I think we ought to
terminate him and put Jim Capra on.

21 MS. GARZA: Is there a motion to
22 appoint Bert Adams to the Council seat.

23 MR. THOMAS: So moved.

24 MR. LITTLEFIELD: Second.

25 MS. RUDOLPH: Question.

MS. GARZA: All those in favor,

1 signify by saying "aye."

2 COUNCIL MEMBERS: Aye.

3 MS. GARZA: Opposed?

4 We have annual report, but I did
5 want to bring up something from one of the
6 proposals and I can't find it. It's the one
7 regarding the subsistence fishery in the
8 Stikine. We had discussed it at length and
9 I had Dick talk to Russ Jones, who is the
10 Commissioner, and he pointed out two
11 important things: One, we were told that
12 that request had to go to the transboundary
13 panel. I have since learned that this
14 trans-boundary panel is brand new, that they
15 have not appointed the eight or for however
16 many Alaska panelists and that we should be
17 submitting a name to that panel and asked to
18 have Cal or whoever take that name forward
19 and whatever way we can get somebody on that
20 panel.

21 The other point is that Russ did
22 point out, in fact, that parties agree that
23 there are now new fisheries on the Stikine,
24 chinook without the consent of both parties.
25 It will require that request going forward.

26 In terms of process, Russ said
27 that it did need to go through the panel and
28 it would be best if it came from the Alaska
29 side. If we didn't think we could get
30 support from ADF&G, we needed to hit the
31 other -- the Federal, or Governor or
32 whoever.

33 I would ask for a motion to
34 support the appointment of Dick Stokes to
35 the trans-boundary panel.

36 MR. LITTLEFIELD: So move.

37 MS. WILSON: Second.

38 MR. THOMAS: Question.

39 MS. GARZA: All in favor, signify
40 by saying "aye."

41 COUNCIL MEMBERS: Aye.

42 MS. GARZA: Opposed.

1 Is that okay, Dick?

2 (Laughter.)

3 MR. LITTLEFIELD: He can't hear
4 the train.

5 MS. GARZA: So, if we can carry
6 that request forward, if you know anybody
7 Tlingit, Haida, ANB, we need to get support
8 politically to get a position on that panel,
9 but I think we desperately need it.

10 Okay.

11 Southeast Regional Advisory
12 annual report for 2001. Did anybody go to
13 help you work on it?

14 MR. CLARK: Are you kidding?

15 No, but I do have a few items
16 jotted down that we've talked about through
17 the meeting. What I could do is just go
18 through those and open up the floor for
19 other ideas and we can talk about a process,
20 okay.

21 There was talk about making a
22 specific recommendation to have Federal
23 jurisdiction over marine waters in Southeast
24 Alaska.

25 There was talk about developing
the -- supporting the development of a
Federal/State joint fisheries permit system.

And also there was discussion
about requesting more dollars -- more higher
level funding for studies, which is
something that came up in the last annual
report and those are the only ones that I
have listed. There may be other ones that I
missed. If anybody has issues that they
would like to put on the report, I'll take
those under advisement.

MS. GARZA: Excuse me?

MR. LITTLEFIELD: Madam Chair,
could you explain the protocol by which we
will be submitting recommendations to the
Board?

MS. GARZA: Basically, Fred takes
all of our ideas, tries to create a report

1 out of it and mails, faxes, or e-mails it to
2 us, we respond and something that looks
better finally goes out.

3 MR. CLARK: Generally, the annual
4 report is accepted in concept from the ideas
that also are developed.

5 MS. GARZA: Right now, we're
6 looking for more ideas, Mr. Martin,
Patricia, Floyd, John.

7 MR. MARTIN: Thank you, Madam
8 Chair. I guess I'm still having problems
9 with the subsistence Board getting these
10 proposals before it comes through our
11 Council, and being able to withdraw -- if
12 they have this authority, why do they need
us? Is there something we can do about it
so it doesn't happen again? I'd much rather
see these proposals come through us and us
make the recommendations, rather than
withdraw it then it came back.

13 MS. GARZA: Patricia?

14 MS. PHILLIPS: I think there was
15 some discussion about memorandum of
16 agreements involvement. There was a time
17 when this Council was more involved in what
18 those agreements comprised of, and there was
19 a discussion about management concerns
20 preseasons to close subsistence seasons
early due to escapement concerns, and yet
sports seasons continue to remain open.
This attitude needs to flip flop, and there
was discussion about cleanup habitat areas,
additional funds for.

21 MR. KOOKESH: Mine was the same
22 as Harold's which was an administrative
procedure on withdrawal of proposals.

23 MR. LITTLEFIELD: I have a slug
24 of them.

25 We'll start with hopefully the
easiest one first. On the Internet I
noticed that the rural determination which
we need to review had come out on the
Internet, request for proposal, so I sent

1 off for a copy of it. I would like to
2 request staff to get a copy for every
3 Council member, and also request a briefing
4 on the status of this proposal, rural
5 determinations are something we need to
6 comment on. And it has this particular
7 report has some very good -- an overview of
8 ANILCA as well as a good bibliography on any
9 on the back for further study.

That's one.

MR. CLARK: Just for
clarification, did you want a written brief
along with that book or just the book?

MR. LITTLEFIELD: I would like
each Council member to receive a written
brief and update on what's going on in rural
determination. We need to have some input
on this.

This is what Patty talked about.
There was a proposal for subsistence working
groups that was a paper Ben Van Alen was
working on. It was an expansion of what he
presented under the coho proposals that
would establish working groups. I concur
with that, he's presented a paper which
basically said that they would determine
those permits, set regulatory proposals,
discuss stock status escapement goals, and I
believe that should be submitted in the
annual report. I have only one copy of
this.

Others are catching some of the
stuff, as Fred mentioned, I would like to
see specific language, and I believe that
maybe a form of a motion as a recommendation
would be better to strike the words "and
excluding marine waters". I'm prepared to
make that motion. That is the thing that
prevents us from moving the little yellow
line that they showed us on the charts one
way or another. And I would like to make
that as strong and explicit in the annual
report as we could.

MS. GARZA: We can include it in
the annual report, but I think we should
also include it as a specific request
because the annual report probably gets in a

1 pile and gets dealt with all the other
2 annual reports.

3 MR. LITTLEFIELD: Okay.

4 One of the things I wanted to do,
5 Madam Chair, is write a separate report to
6 the Federal Subsistence Board laying out
7 these concerns, separate from the annual
8 report; and this report would contain all
9 the information provided by the Sitka Tribe,
10 all of the information presented under
11 proposal 29 in support of it. It would also
12 include as a -- excuse me a second here. A
13 specific petition to the Secretary we should
14 include those as a copy, and discussing all
15 of the issues in 25, 37, 35, that were
16 germane as well as the rest of the comments
17 made on why we believe this should take
18 place. And in that annual report, I will
19 add -- I will make a motion that they delete
20 the words in 36C part, 2.2.3(b)28,
21 concerning the Tongass forest, delete the
22 four words, and excluding marine waters. I
23 would like that in a separate report.

24 I would also like, in accord
25 answer with the Sitka Tribe of Alaska, to
26 send these same reports as a petition to the
27 Secretary of Agriculture and also a copy to
28 the Secretary of the Interior and copy the
29 Federal Subsistence Board.

30 I think that's about it.

31 MS. GARZA: Okey-dokey.

32 Are there any other issues that
33 people choose to raise in the annual report?

34 I would like to raise the issue
35 that we have with eulachon that we have
36 problems with Federal/State jurisdiction and
37 harvesters and traditional users being
38 uncomfortable about whether or not what
39 they're doing is legal. Whether or not
40 they're harvesting or buying it, that we
41 need some clear clarification on that, and
42 we need enough PR in public information so
43 that people can make a good decision on what
44 they're doing.

45 The other thing that I think I'm
46 not sure if it should be included in the
47 annual report and perhaps separately as John
48 suggested, although I don't know it may be

1 partially in conflict or support what you
2 have stated, but I think we need to look at
3 the maps that we were given on the yellow
4 lines for the -- and at least minimally
5 support the head-to-head which was the
6 initial language that we received several
7 years ago on what were Federal waters, there
8 was mean high tide, but there was also head
9 to head.

10 That language has disappeared and
11 that's why that yellow line has moved back.
12 That needs to come back up that we weren't
13 happy with where the lines are drawn.

14 John?

15 MR. LITTLEFIELD: Madam Chair, I
16 concur. That was the second page. It had a
17 lot of notes on there, and that specifically
18 conflicting language, as I see it is in
19 36CFR242-4, where they talk about inland
20 waters, marine waters, put these
21 definitions, they are confusing,
22 conflicting, personal opinion, they're
23 illegal, that's my personal opinion. They
24 can't possibly both be right. And my
25 personal preference as a Councilman is that
they use within the existing scope of
regulations, that they delete all references
to mean high tide for defining waters, and
only go from headland to headland.

MS. GARZA: Any other items that
people think should be discussed in the
annual report, again, the process is that
Fred puts us in as a draft, and throws us
out. If we've thrown it in there, it's
incumbent upon us to let him make it look
better, or let him know it looks good as it
is, so the annual report goes out okay.

MR. CLARK: For a lot of these
issues, it's going to take those Council
members who brought up the issues, to flesh
them out to get a first draft together.
I'll be contacting individual Council
members and then distributing what I
gathered from other people. I'll distribute
that to everybody, so everybody can take a
look at it as it's being developed. And
then we'll put together a draft. It will

1 come before the Council as a whole at the
2 next meeting too.

3 MS. GARZA: One more point we
4 keep in the annual report, we do try to keep
5 positive, while we're disappointed that
6 there is not enough funding for the FIS
7 projects, we were happy with the process and
8 the criteria used to recommend which
9 projects needed to be funded. We need staff
10 to know that we were happy with the process
11 they went through; we were unhappy with the
12 money available.

13 That's kind of a lot for an
14 annual report, so maybe we should roll
15 along.

16 Other new business? We have the
17 Board of Fish coho C and T or subsistence
18 proposal. Patty, was that you?

19 Mike? Who was it?

20 MR. DOUVILLE: Madam Chair, I was
21 just suggesting that this council submit a
22 proposal to the Board of Fish that is
23 similar to what we have now in freshwater, I
24 guess, ideally what we would want is to
25 harvest coho in saltwater. It would
26 simplify what has been done before. It
27 would be similar to sockeye, in other words.
28 However, I'm not interested in giving up the
29 freshwater part. I think it would help
30 things along if we had something with the
31 State along those lines.

32 Do you know what the
33 opportunities for submitting proposals to
34 the Board of Fish -- Mike?

35 Mike Turek?

36 MR. TUREK: Madam Chair, Council,
37 the middle of April. I can give you the
38 exact date, April of 2003 coming up for the
39 next Board of Fishery meeting again in
40 Southeast. You have to have the proposal
41 again. I talked with Mike a bit about this.
42 There are positive C and T findings in the
43 State for coho. The problem is that the
44 regulations read there will be no permits
45 issued for directed fisheries -- fishers of
46 coho, king salmon, Southeast, except for the
47 coho fishery in Mitchell Bay. You wouldn't

1 have to address the C and T finding. You
2 have to request that there be subsistence --
3 directed subsistence fishery on coho in
4 State waters.

5 MS. GARZA: Just clarification,
6 you said 2003, was that 2002?

7 MR. TUREK: Excuse me, April 2002
8 for the 2003 Board of Fishery meeting.

9 Thank you.
10 Mr. Littlefield?

11 MR. LITTLEFIELD: I was trying to
12 clarify. I thought the meeting was 2003.

13 A question, Mike. If we were to
14 take the existing language that said there
15 will be no coho or Chinook taken under
16 subsistence, if we were to add the proposal
17 that we're trying to craft here, except
18 under the terms of a Federal subsistence
19 permit, would that be enough to satisfy the
20 State's concerns?

21 MR. TUREK: Mr. Littlefield,
22 Madam Chairman, I don't know if the Board
23 would like that language, but I understand
24 what you're saying. It can be done. Angoon
25 did it years ago when they put in for their
proposals for their directed coho fishery,
so....

MS. GARZA: So, I don't know if
we can draft something -- we're meeting in
February, March, so we can have something
drafted by then for the April deadline. The
question is: Who is going to do the
drafting?

Fred, you can't leave until it's
done.

MR. CLARK: I was just saying Cal
would be happy to help write that, right?

(Laughter.)

MR. CLARK: Also, I would like to
point out that by not trying to put together
the proposal right now and do it between now
and next meeting will also allow you to

1 perhaps get another organization and groups
2 to sign on to the same proposal with you to
3 get a broader base of support for the idea
4 and the content of the proposal. And that
5 means it would be more likely to go through
6 the Board of Fish without problems.

7 MS. GARZA: Along those same
8 lines, we could consider other proposals
9 that we as a Council would like to submit to
10 the Board of Fish. We should be doing that
11 more often, and let them know what our
12 concerns are.

13 Mr. Thomas?

14 MR. THOMAS: I can get the -- get
15 the report and sign off on this.

16 MS. GARZA: We're counting on
17 you. Is there any more new business?

18 We did have a comment I think
19 from Rob Larson that there is a proposal
20 going to the Board of Fish to create a
21 positive C and T for eulachon in Stikine or
22 1C1D -- in any case, whichever it is, we
23 need to support it, and we should send
24 supporting evidence.

25 Right?

Mike?

MR. TUREK: Madam Chair, Council,
the Board's going to take that up in
January, so we need to get something from
you, but you wouldn't need to write much on
that, just that you're supporting the agenda
change request for the C and T finding for,
I guess five rivers in southern Southeast,
Unuk, Chickamin, Stikine....

MS. GARZA: Can do you that, Cal?

MR. CASIPIT: Sure. Yes.

So, there would be the support of
the request for agenda change and then we
would also have to write support for the
proposal itself.

Okay.

Other new business?

MR. LITTLEFIELD: Madam Chair?

1
2 MS. GARZA: Mr. Littlefield. Is
3 this the proper time to address the maps
4 that were in doubt under new business?

5 MR. LITTLEFIELD: Yes.
6 If it pleases the Chair, I had a
7 request from Mr. Jackson before he left to
8 present his views on this headland to
9 headland and this was specifically for Falls
10 Lake, Bay of Pillars and Gut Bay. When he
11 reviewed the lines, he said they were
12 obviously not in the area that they would
13 prefer. So, I'd like to submit his -- he
14 marked up three charts for me -- I'd like to
15 submit those for recommendations, and these
16 would come from OVK and not from me. I can
17 show you where these marked-up maps are. I
18 would defer to their decision and their
19 wishes to these under new business.

20 MS. GARZA: So, John, your motion
21 is specific to the three OVK maps?

22 MR. LITTLEFIELD: That's correct,
23 Madam Chair, they're in red and I need to --
24 she my finger -- it's very hard to see, and
25 maybe I should just explain where they are.
He's given me two choices for each one of
them, and I can read, for instance, on Bay
of Pillars. I will read what that is -- I
guess we should second this first before I
talk about it.

18 MS. WILSON: I'll second your
19 motion, but I don't know what your motion
20 is.

21 MS. GARZA: Well, could I give --
22 give us a two-minute break so we could all
23 hover around and, you guys would go
24 wandering off, so we still have things to
25 do, we'll go up and look and come back and
sit down.

23 Okay?

24 The motion that was made was
25 whether to submit the three maps, Mike Jack
somebody with their preferred Federal/State
markers. We have all seen them.

Is there any further discussion?

1 Question has been called.

2 All in favor of the motion, it
3 would be to point out that we believe that
4 the markers are too far back and that OVK
5 requests that the markers be moved farther
6 up as indicated on those three maps.

7 All in favor, signify by saying
8 "aye."

9 COUNCIL MEMBERS: Aye.

10 MS. GARZA: Opposed?
11 Motion carries.

12 I would entertain a motion that
13 we request that all of these maps be changed
14 to not represent the mean high water but
15 rather the head-to-head positions for the
16 indication between the State and Federal
17 waters.

18 MR. LITTLEFIELD: So moved.

19 MS. GARZA: All in favor, signify
20 by saying "aye."

21 COUNCIL MEMBERS: Aye.

22 MS. GARZA: Opposed?
23 Is there other new business?

24 MR. LITTLEFIELD: Madam Chair?

25 MS. GARZA: Mr. Littlefield?

MR. LITTLEFIELD: I would just
like it clear that the intent of my positive
vote on that is locals, local input would be
what was the determining factor. At least
for me that would be.

MS. GARZA: Thank you,
Mr. Littlefield. If each of us as Council
members will get together with community
members and if they have -- and let them
know that there may be issue with the
Federal line on important streams or rivers
and that they should come up with a line
that's suitable for them within headland to
headland definition.

Moving right along. Item 17,

1 election of officers.

2 MR. THOMAS: Fred?

3 MR. CLARK: Madam Chair. At this
4 time, I'd like to open the floor to
nominations for chairman.

5 MR. DOUVILLE: Mr. Chairman, I
6 would like to nominate Bill Thomas for
Chairman.

7 MR. CLARK: Bill Thomas has been
8 nominated.

9 MS. GARZA: Mr. Chairman, I would
10 move that we close nominations and cast a
unanimous ballot for Bill Thomas.

11 MR. LITTLEFIELD: Second.

12 MR. CLARK: Hearing no dissent,
13 so done.

The chairmanship goes back to
Bill Thomas.

14 MR. THOMAS: It's going to take a
15 while for me to get over my emotions.

(Laughter.)

16 MR. THOMAS: Once again, it's
17 really been my pleasure to serve as your
18 chairman. It wouldn't be near as exciting
19 if I didn't have the support that you folks
20 led me in all phases, even with some of my
limited mobility getting around, you folks
have been very supportive and patient with
that. I appreciate that.

We've been fortunate with some of
21 the -- with all the proposals that we've
22 taken to the Board, we have a good track
23 record of success up there. And the Board
and the rest of the regions have a real high
24 level of respect for the Council in this
region. They've seen us on a couple of
occasions when we were in Anchorage and
they're impressed with the caliber of people
25 we got. Again, thank you very much.

1 MS. GARZA: You already got the
2 position, so wrap it up.

3 (Laughter.)

4 MR. THOMAS: With that, I open
5 nominations for Vice Chair.

6 MR. DOUVILLE: Mr. Chairman, I'd
7 like to nominate Dolly for Vice Chair.

8 MR. THOMAS: Dolly has been
9 nominated for Vice Chair.

10 MS. PHILLIPS: Second.

11 MR. THOMAS: Nominations don't
12 require seconds.

13 MR. MARTIN: Mr. Chairman, I move
14 that nominations cease.

15 MR. LITTLEFIELD: Second.

16 MR. THOMAS: Moved and seconded
17 that nominations cease. All those in favor,
18 say "aye."

19 COUNCIL MEMBERS: Aye.

20 MR. THOMAS: Secretary, cast a
21 unanimous, I Marilyn Wilson, cast unanimous
22 ballot for Vice Chairman.

23 MS. WILSON: You did it already.
24 I now did it.

25 MS. GARZA: Thank you very much
for your support --

(Applause.)

MS. GARZA: I tell everyone that
Bill Thomas is the one who looks good, and
I'm the one who does all the work. Thank
you.

MS. PHILLIPS: Here, here.

MR. THOMAS: Nominations now open

1 for the real job, Secretary.

2 MR. LITTLEFIELD: I nominate
3 Marilyn Wilson.

4 MR. THOMAS: Marilyn Wilson.

5 MS. PHILLIPS: Move to close
6 nominations.

7 MR. THOMAS: Move to close
8 nominations.

9 MR. LITTLEFIELD: Second.

10 MR. THOMAS: Moved and seconded.

11 MS. WILSON: I hereby Marilyn
12 Wilson, casting the unanimous ballot for
13 Marilyn Wilson for Secretary.

14 (Applause.)

15 MR. THOMAS: Okay, our offices
16 are now filled. There will be an officer's
17 ball tonight at 7:00 o'clock on the jet.

18 MS. GARZA: Next item on the
19 agenda is time and place of next public
20 meeting.

21 Is anybody inviting us anywhere?
22 Do that -- is this a time when we switch the
23 request of Patricia, so we will have the
24 spring meetings, the January, February
25 meetings in villages because by then
hopefully is better for traveling? The
winter meetings like this will be held in
the urban communities, Sitka, Juneau.
Sitka, Sitka.

26 MR. KOOKESH: Ever since I've
27 been on the Council, I haven't been to
28 Hoonah for a meeting.

29 MS. GARZA: Or Wrangell.

30 MR. LITTLEFIELD: Madam Chairman,
31 I have not been -- been on the Council for a
32 short time. I haven't been to Maui either.

1 (Laughter.)

2 MS. GARZA: Considering nobody
3 wanted us, at least we can pick the dates.
4 Fred gave us a calendar. We don't know how,
5 but it seems like all the other regions seem
6 to get their dates in before we do, and the
7 only week that's clearly open is the week of
8 March 11th.

9 Is there anybody who has
10 objections to the week of March 11th or
11 prefers another week instead?

12 MR. LITTLEFIELD: There are other
13 conflicts since this chart.

14 MS. GARZA: Are there conflicts?
15 MR. CLARK: No.

16 MR. DOUVILLE: Thank you Madam
17 Chair. I would like to make the suggestion.
18 I don't know -- I'm not suggesting a date,
19 but I would ask that this -- whatever date
20 we choose doesn't fall on a weekend -- March
21 21st, 22nd, and 23rd. His daughter is going
22 to be in a basketball tournament.

23 MS. WILSON: Madam Chair?

24 MS. GARZA: Marilyn?

25 MS. WILSON: Are these going to
be discussing game or fish or just game?

MS. GARZA: Yes, the spring
meeting will be game.

MR. KOOKESH: Madam Chair, I
really would have liked to have gone to
Hoonah, but what I was doing is I was
waiting for Hoonah to extend an invitation.
If Hoonah doesn't, Angoon would like to
extend an invitation.

MS. RUDOLPH: I was waiting for
Dick to invite Dolly over.

We do extend an invitation to
come out and hopefully we'll be properly
better prepared than the last time we came.

1 MS. GARZA: We have been invited
2 to Hoonah for the February, March, Regional
3 Advisory Council meeting. Thank you much
4 for the invitation.

5 Do you know of any activities in
6 your community that would conflict with any
7 of these dates?

8 When is Gold medal? Gold medal
9 is the last week of March. That's off this
10 chart, so that's okay.

11 The last week -- of March, that's
12 on here has three Council meetings scheduled
13 for it. So it looks like we have to pick
14 the week of March 10th, March 3rd or the
15 February 17th week.

16 Mr. Littlefield, is there an
17 estimate of how many days -- we had five
18 days here, I hardly doubt that we'll have
19 that many.

20 MR. CLARK: How much time you
21 need really depends on how many proposals
22 and how many issues that you have to deal
23 with. The wildlife process has wound down a
24 lot the last several years. You never know.
25 What I would do is set it up as three days
as a guide and change it later if you need
to. I would suggest the 12th, 13th, and
14th.

15 MS. GARZA: The recommendation is
16 the 12th, 13th, and 14th. That can be
17 changed based on the ferry schedule if
18 anyone chooses to go by ferry.

19 Any objections to that?

20 MR. THOMAS: I want to go on mail
21 boat.

22 MS. GARZA: You can go on mail
23 boat.

24 MS. WILSON: Which one do you
25 want to go on, southbound or northbound?

26 (Laughter.)

27 MS. GARZA: We're looking at
28 having the spring meeting the week of March
29 10th, targeting March 12th, 13th, 14th in

1 Hoonah depending on ferry schedule and other
2 potential conflicts, if Mary goes back and
3 finds out that Hoonah has something else
4 going on.

5 MR. THOMAS: Is Maui the first
6 alternative?

7 MS. GARZA: It's the second, I'm
8 afraid.

9 The third would be --
10 Item 19, public agency, Council
11 and Tribal comments.
12 Public agency? Got five seconds.

13 MR. TUREK: Madam Chair, Council,
14 I'd just like to say I enjoyed the week with
15 you and look forward to meeting with you
16 again in Hoonah, and if you have any
17 questions about proposals to the Board of
18 Fish this year, just give me a call and I
19 can work with you on that. I'll be working
20 with Cal on the ones you've already
21 discussed. So I'll be very brief and say
22 thanks again, and we'll see you if not
23 before, we'll see you in March.

24 MS. GARZA: Thank you, Mr. Turek.
25 Other agencies.

26 MR. CAPRA: Jim Capra, C-a-p-r-a.
27 I haven't been in the hot seat yet, Madam
28 Chairman, Council. I thought I'd better
29 come up. I wanted to thank you for coming
30 to Yakutat and I enjoyed watching and
31 participating a little bit in your meeting
32 again.

33 Thank you.

34 MS. GARZA: Thank you, Mr. Capra.
35 Other agency comments?
36 Tribal?
37 Mr. Widmark?
38 Judy Ramos?

39 MS. RAMOS: I just wanted to
40 thank you for coming to Yakutat and what I
41 did was -- is from the surveys, I compiled
42 all the questions, comments and concerns,
43 and I kind of summarized them and grouped

1 them into areas and I would like to submit
2 this to the Council.

3 Thank you.

4 MS. GARZA: Give it to Fred.

5 MR. THOMAS: Fred is the Council.

6 MS. GARZA: Considering you've
7 run out of paper, you'll send that out to
8 us, Fred?

9 MR. CLARK: That's correct.

10 MS. GARZA: Thank you very much.
11 And thank you for being patient and waiting
12 for your time to present.
13 Mr. Widmark?

14 MR. WIDMARK: Thank you, Madam
15 Chair, Council members. It's my first time
16 here in Yakutat and I wanted to make some
17 comments and a lot of observation during the
18 week, and I'd like to share with you before
19 we leave tonight.

20 A couple things, I have to
21 apologize, I got a couple years ago,
22 probably more than a couple years ago, this
23 Elder came to me and told me that I'm not
24 supposed to use a piece of paper, so I had a
25 lot of things on my mind so I wrote it down.

26 First of all, Madam Chair,
27 congratulations to the new officers. I'd
28 like to thank the community of Yakutat for
29 allowing myself and the staff to come and
30 host this meeting. Also, I'd like to thank
31 Alaska Native brotherhood, sisterhood for
32 use of the hall. I'd also like to thank my
33 fellow tribal leader. Bert Adams showed me
34 around when I first got here. Bert and I go
35 a few years back on Tribal leader stuff.
36 Yakutat Tlingit Tribe, the IRA and using the
37 fourth name by Mr. George Ramos for that
38 wonderful greeting.

39 Also like to thank the different
40 agencies, the Forest Service, Alaska
41 Department of Fish & Game for working with
42 Sitka Tribe on the collaborative project
43 this past year and the coming up years, for
44 example, Salmon Lake, Klag Bay, Redfish Bay.

1 I am privileged to work -- I have
2 not been privileged to work with the staff
3 here, I know our staff has been working, for
4 example, Fred Clark, Mike Turek, Terry
5 Suminski, Bob Chadwick, and Bill Davidson
6 staff, and I hope that continues.

7 Also, I want to thank the Sitka
8 Tribe of Alaska staff behind the scenes,
9 Jack Lorrigan, Robi Craig, legal Council,
10 Jude Pate, and for Elders that attended this
11 meeting. Herman Kitka and Nels Lawson.

12 I also wanted to thank the Tribal
13 Council for allowing me to be here. They
14 thought it was a priority that I attend this
15 Council meeting.

16 Also want to thank the Federal
17 Subsistence Board for projects that were
18 approved for funding, not just for Sitka
19 Tribe, but also for the other community and
20 Tribes.

21 I'd also like to encourage the
22 Tribes and Native community -- encourage
23 them to keep moving forward on customary and
24 traditional resources and get the
25 traditional territories.

26 Last but not least, I commend
27 Southeast Federal Subsistence Board Regional
28 Advisory on you asking the tough questions,
29 making the comments, and also supplying
30 humor.

31 And it's very difficult, I know,
32 representing Southeast Native communities.
33 And also the message that from this region
34 all across the region that subsistence
35 priority is No. 1. On behalf of Sitka Tribe
36 of Alaska. Gun nux cheesh.

37 MS. GARZA: I am looking at time,
38 we have to go through our comments, wrap up
39 the meeting, we need enough time to spank up
40 this stuff and drive out to the end of the
41 road. Bearing that all in mind.

42 Council comments?
43 Mike?

44 MR. DOUVILLE: Thank you, Madam
45 Chair, I'd like to thank the people of
46 Yakutat, and the people responsible for
47 feeding us. I'd like to thank the Chairs,
48 and I'd also like to thank the Chairs here

1 for getting us through these difficult
2 proposals we had to deal with this time.
3 And also Mr. Littlefield, Sitka Tribe for
4 bringing them here. The Federal/State
5 staff, and I'd like to say to the rest of
6 the Council. It's been a pleasure working
7 for you. I bring my -- what knowledge and
8 experience I have here, and you guys supply
9 a lot of information, but I'm here, I feel,
10 for three things: One is to help with -- to
11 provide avenues to subsistence and to
12 subsistence whatever it may be, cohos or
13 otherwise, and to ensure the -- that those
14 species whatever it may be, are taken care
15 of so there is -- we have a future of
16 subsistence. And when any of those three
17 things are threatened, I tend to grit my
18 teeth and posture, and thanks for your
19 patience with me.

20 One other thing I'd like to give
21 Fred a gift here. That's all I have to say.

22 Thank you.
23 I guess, thanks, especially to
24 Fred. You're always helpful.

25 MR. CLARK: Thanks, Mike.

26 This is so you don't forget this
27 RAC committee. Whenever you look at it, you
28 think of the gang you work with here.

29 I also play.

30 MS. GARZA: It's wonderful gift,
31 Mike -- kind of makes me want to resign from
32 the Council.

33 Patricia?

34 MS. PHILLIPS: I think the
35 community of Yakutat -- I thank the
36 community of Yakutat, and Yakutat Tlingit
37 Tribe for the very excellent stay we had
38 here.

39 I always enjoy coming to these
40 meetings, because they're such a task on my
41 brain, and I feel good when I come out of
42 here knowing the accomplishments we've made.
43 And there's been more than one time that I
44 felt the power of our Elders past and our
45 people's past inside this ANB hall and NAS
46 hall, been standing us, your knowledge us
47 on, and telling us we have a job well done,

1 and it's really good to see the
2 accomplishments we've made knowing that --
3 how many years ago we started one little --
4 you know, what started out as an idea, has
5 now built into projects actually happening.

6 And I just -- I hope I can show
7 the generousness that I feel inside, to be a
8 part of a Council like this.

9 And this is times like this that
10 Dolly calls me a cry baby, but, it's a deep
11 sense of emotion that I'm here, and I
12 appreciate what Mr. Ramos did for us in
13 welcoming us to Yakutat, and I guess those
14 are the highlights of my trips to the
15 villages, and I have a connection with the
16 culture that has been lost to me -- had been
17 lost to me, and that I can go back and share
18 that with my family and community.

19 MR. THOMAS: I was going to give
20 Patty the rest of my time to finish my
21 comments.

22 Patty said a lot of provocative
23 things, for instance, with reference to
24 losing her culture, and using this as a
25 substitute to take back to her family. It's
26 a value that you can put in the mantle of
27 her family values, and she's fortunate and
28 we're fortunate that she's here, to keep
29 us -- keeps aware of the importance of our
30 gatherings. Everything that we do in this
31 process is carrying out what was done
32 generations ago. People working together,
33 people hosting, people sharing. That still
34 continues, some of us now have government
35 positions and this kind of thing, and
36 sometimes there's a little misunderstanding
37 in what roles we're playing, but you take a
38 look at it, and it's a pretty good team.

39 This can't work without you; it
40 can't. If we got somebody here or if
41 there's a link missing then this team is not
42 going to work. It's kind of like the --
43 trying to seine with a hole in the middle of
44 the seine.

45 The community that hosts, the
46 people that attend, the Council members,
47 everybody that was here all week came here
48 with a sense of responsibility.

49 When they leave here, they're

1 going to feel good about being able to carry
2 out the responsibility that was given them,
3 regardless of who it's for or what it is.

4 And I want to thank everybody for
5 being here. It makes what could be a
6 horrible job in reporting to the Board a
7 pretty good job, because I go there with
8 good, solid recommendations that come from
9 here, and these are the results of our
10 deliberation and I get too much argument out
11 of those guys. Again, thank you folks for
12 everything. Thanks again for your vote of
13 confidence. That's all I have.

14 MR. MARTIN: Madam Chair, we must
15 have done something right, it's starting to
16 sunshine.

17 I'm very pleased to be a part of
18 a group such as this, a lot of
19 sophistication and dignity and a lot of
20 knowledge here. I appreciate the agency
21 people who did their presentations with
22 great dignity and no anger or disagreements.
23 I appreciate the staff who do -- who does a
24 great job every year. We're going to miss
25 Fred, but we still have Cal.

MR. THOMAS: You have to mention
that.

(Laughter.)

MR. MARTIN: I'd like to thank
everybody involved in this process,
particularly, we like to thank Mr. John
Littlefield and Dolly Garza for doing their
homework in depth, and I thought that led us
through some very difficult proposals.

Thank you.

MR. KOOKESH: Mr. Chairman, Madam
Chairman, I'd like to thank the city of
Sitka and Bert Adams for hosting us. I'm
sorry that Bert isn't here. I want to say I
really, really was impressed with Mr. George
Ramos' welcome to us this morning. I
thought that was excellent. I've never been
a part of that, and I felt that it was
something that I never experienced before,
certainly can touch you. But there was some

1 comments I'd like to make, for the one
2 reason I happen to believe that under Title
3 VIII one of our duties is we're supposed to
4 provide for a forum for the expression of
5 opinions, and I'd like to be able to express
6 some of my concerns. I talked to Patty
7 today and one of the things that I noticed
8 was that when we -- we all are aware there
9 are a lot of times when we're going there on
10 decision-making processes, there are a lot
11 of things that we think of after we made a
12 decision. And hopefully the comments I made
13 aren't out of order and if they are, too bad
14 because I already said it.

15 The comments I'd like to make,
16 it's really very hard for me to come to
17 this -- to these forums and to participate
18 when I walk in the door and I'm being given
19 a document, a very thick document that I
20 have to cram and I don't believe that
21 cramming is an appropriate way to be a part
22 of this process. I think that it affects --
23 I tend to feel like that this stuff is
24 going -- it goes too fast. We haven't had
25 the ability to absorb it. You can't do that
26 and be successful. I think that's probably
27 one of the reasons why we struggle as a
28 group. As I was -- as we were going through
29 the week, I took some notes and I wanted to
30 elaborate on them, because I felt like, for
31 instance, one of the things that happened to
32 us was the checklist. I wasn't familiar
33 with the checklist, and when that was thrown
34 at us, that tended to slow us down, and we
35 got kind of bogged down on that process, and
36 not knowing that process and not -- like I
37 said one of the things I've noticed we've
38 never been able to sit down and tactually do
39 these -- go through some practices. Once we
40 did, Fred Clark told me these processes we
41 go through are best noted as applying them
42 as we move along. Is that like standing up
43 in front of a class and being a teacher, I
44 don't think that's that easy. It's one of
45 my other things, trying to figure out how to
46 move through this process. We did get
47 bogged down and I could get frustrated, and
48 I also believed, too, that all of these
49 proposals that are brought to us are brought
50 to us for a reason. I believe they're

1 brought to us so we can make it a --
2 available an opportunity for subsistence for
others.

3 I happen to believe that our job
4 is to protect the right to -- of people to
subsisit and the other thing that bothers me,
5 in the voluntary forum position I sit in, I
6 give a lot of myself. I happen to represent
the City of Angoon, and I've forsaken a lot
7 of my job duties, and one of the things that
8 tends to work on me is when I'm sitting here
and every justification or opposition or
9 modification, whatever to the proposals by
the State agencies, it kind of works on me
10 that everybody tends to sit here and look at
these proposals and everybody is opposed to
11 all of these proposals. And I'm wondering
why it is we don't have people that are
12 supporting us in this process. All we hear
is oppose, oppose, oppose, and the thing
13 that bothers me is the people that are
opposing us are not the people we represent.
14 The people that are opposing us are the
State agency people. I don't know who --
United Fishermen of Alaska -- I don't know
15 who these organizations are. I don't see us
receiving opposition from other communities
16 that we represent.

17 And like my good friend here from
Sitka, it was mentioned early this morning
18 in our discussion about management, I happen
to believe in structured management. I look
19 at something and try to structure it so we
have a focus. I view the proposal format
20 that we're following as a Band-Aid approach
to fixing a big cut. I'm trying to work my
21 way through this as a volunteer. It is hard
to sit here and have State agencies opposing
22 something when we don't have to respond. We
certainly respect their right to their
opinion, that certainly shouldn't be
something that influences us and it
23 shouldn't be allowed to hinder the system.

24 I believe Mr. Jude Pate pointed
out the other day that there's a difference
25 when you hear the words management concern,
and conservation concern. He said there is
a difference. You can't just use them
interchangeably and think that they're
not -- they're different things, it's

1 either/or, just cut and dried. And the
2 other thing that bothers me is that in
3 sitting here, looking at all the data --
4 we're supposed to be filling in No. 2 or
5 3 -- and we're listening to people that are
6 telling us that the fishery is all right,
7 and I'm sitting here with my -- from a
8 person who lives off the land. I'm the one
9 out there halibut fishing, that's finding
10 out that it's not close anymore. I'm the
11 one in the streams knowing there is problems
12 in the streams, and you can't -- I always
13 said it, you can't BS a BSer, and I happen
14 to believe that I run right up that alley.

15 I happen to believe that we're
16 being hindered in the exercise of our
17 jurisdiction by allowing the -- I use that
18 word to get the same table. There's nothing
19 at the devil pits advocate. It tears at the
20 volume material. I believe I'm a volume
21 material. I was touched the other day by
22 Mr. Herman Kitka talking about when he was a
23 young man, how there's a half a million
24 sockeye in Redoubt. Today there's a few
25 thousand fish left. And I was wondering as
26 I was listening to him in his lifetime,
27 maybe in his lifetime Redoubt will be gone,
28 all the fish out of Redoubt will be gone.
29 That's at one man's lifetime. You can't sit
30 there and tell us we're doing the wrong
31 thing in the way we're managing the fishery
32 when the people that are sitting at the
33 other side of the table haven't done the
34 right job either. That's why we're sitting
35 here, because there's a conservation
36 concern. And us as conservationists
37 recognize that, because a lot of us live
38 that.

39 I was hoping -- one of the things
40 I was hoping is we wouldn't become too
41 bureaucratic. I'll use another example that
42 I observed as I was sitting here, basically,
43 just sitting here, not participating to the
44 extent. But I noticed that when it came to
45 the Klawock proposal that there was no
46 author on it until when the process was
47 almost over, the name was mentioned of the
48 lady who was involved in the process. At
49 the time I believe it was FP02-24. We
50 deferred that proposal. We didn't believe

1 there was an author. I thought we had
2 done -- I was thinking. Is he out of order?
3 Am I out of order? As I think in these
4 things, these things keep working in our
5 head, they don't stay here in the meeting.
6 I happen to believe, when we do subsistence,
7 we're supposed to do subsistence, even if
8 it's one personal, one lady that couldn't
9 make it out. I don't remember the name, I
10 believe someone mentioned Hanley. I
11 happened to have read the document. These
12 documents that also were given us on the
13 ADF&G comments I was referring to was Tab D,
14 page 8, second paragraph. It reads like
15 this: Not being tuned in, in 1986 Alaska
16 Board of Fisheries passed a regulation to
17 close the Klawock subsistence sockeye
18 harvest during weekends at the request of
19 the Klawock and Craig Advisory Committee.
20 It also goes on to say that the intent of
21 this regulation is to ensure maximum access
22 to this stock by local residents for
23 subsistence purposes. When I read that, I
24 said, Gee, what did we just do earlier that
25 day? I was wondering where we were going.
I thought this -- this is ADF&G comment.
I -- deferred it because of the name not
being on the document. I respect
Mr. Douville and his comments on the
proposal, but don't take me wrong.

16 And I just see these things as
17 we're walking out the door. I've been on
18 this job for a little over two years. I
19 don't know how long I'll stay on this,
20 financially tends to get a little difficult.

21 One of the things I'd like to say
22 is that I believe that the Feds and the
23 State need to start working together better.
24 We sat here the other day and listened to
25 which -- which was on State water as which
26 foot was on State waters, it -- Federal
27 waters, it's a joke to sit here and say
28 which foot is which side. The Feds either
29 need to take over the full cycle of the
30 salmon or we're all going to lose. Or the
31 State better step up, as the State in our
32 opinions has failed, that's why -- hasn't
33 failed, but is failing. I believe they need
34 to take some -- a little more steps. We
35 shouldn't be here opposing these proposals.

1 We should be working to make them happen
2 right. Remember, our job is subsistence
3 first. Our priority is the rural resident.
4 It isn't the commercial. We shouldn't be
5 compromising the rural residents. We all
6 know that all the oil, all the fish, and all
7 the time is in the rural areas, we're
8 getting stepped on so the urban areas can
9 have the benefit of the luxury that comes
10 with these problems. I happen to believe
11 that we need to step up this jurisdiction.
12 I know this process that we go through is
13 long and lengthy. I know we've got into a
14 little more micro-management. We're kind of
15 becoming bureaucratic. I'm hoping we don't
16 go there. I happen to believe that we
17 represent the rural areas and that we should
18 be addressing their concerns. Shouldn't
19 worry about it United Fishermen of Alaska,
20 or Gillnetters Association -- or whoever
21 they are. I don't know if they're all
22 Native groups or non-Native groups, what
23 their composition is.

24 I think we need to begin
25 representing those people that we're here
for and not compromise anyone.

Thank you.

15 MR. STOKES: I guess, Mr.
16 Chairman is not here, Madam Chair. I would
17 just like to say how much I appreciate
18 everyone, especially Fred -- he'll be
19 leaving us. He'll be greatly missed. Cal,
20 I appreciate the work you've done helping me
21 with these proposals. Mr. Turek has
22 encouraged me on another proposal we're
23 working on. And I admire the dedication of
24 the Council here, each and every one of you.
25 I appreciate you very much. But I'd also
like to say a little something. A little
four-year-old boy was listening to his
mother tell the story of the creation and
especially of his wife Eve -- that was in
the Sunday school class. So the next day
his mother came in and saw him lying on the
floor, holding his side -- and said is
something wrong -- my side hurts. I think
I'm going to have a wife.

That's all.

1 MR. LITTLEFIELD: Madam Chair,
2 first I'd like to thank the community of
3 Yakutat. He, especially my brother, George
4 Ramos, for that ceremony welcoming us into
5 his land in the traditional way. That was
6 appreciated. I couldn't say he's my
brother, I can say on this side of the
table. I appreciate ANB, Ray Sensmeyer, the
service of the mails, he didn't -- didn't
have to leave here until yesterday to go get
something to eat at the Glacier beach.

I'd like to offer the -- the
officers, and congratulate you on the new
positions, the train is moving along, you
stay along, and that's what that means.
Council members, you probably listened to me
more than you wanted me to this time. I
appreciate the proposals put forward by the
Sitka Tribe of Alaska. They put a lot of
work in it. Like I said before, they put
their money where their money is. They
firmly believe in this, just like I do. I
firmly believe in ANILCA that the customary
and traditional activities of the rural
residents should be continued, and I think
that's the priority. I have no doubt, and I
also want to thank staff, especially Fred.
I'm going to miss you and Cal and the
others, especially Terry, sometimes we might
get a little short. I hope you understand
my commitment to subsistence. Sometimes we
argue, but I think you guys are all coming
from the same place, as well as State, that
we want healthy stocks. I think that's been
going -- we have different ideas of how to
get there. I think if we maintain healthy
stocks, we can provide for everybody.
Subsistence isn't invoked and it's a
nonproblem, if that goal is met. I'd like
to thank the Federal Subsistence Board for
issuing the Dog Point Fish Camp coho permit
second year in a row. The process can be
somewhat streamlined, I believe, and that
would be to give the inseason manager the
flexibility to issue that. It was a month,
month and a half to get that permit. It
really doesn't need to be that. I do
appreciate getting that permit. Hopefully
we won't have to do that again, Federal
permitting system. I do appreciate their

1 efforts, they've also given us at the Dog
2 Point Fish Camp, deer permits for an
3 activity for which we were arrested, my
4 nephew was arrested years ago and we
5 struggled through the court systems. We now
6 do that legally under the terms of the
7 Federal subsistence permit. Take a deer at
8 Dog Point Fish Camp for cultural activity.
9 For all of those, thanks, Fred, it's been
10 good working for you, gun nux cheesh, gun
11 nux cheesh.

12 MS. WILSON: Madam Chair, Council
13 members, and all staff and the Federal,
14 State -- Federal and State staff, and most
15 of all, I'd like to thank Yakutat people for
16 having us here, and all of the dinners that
17 they served here. I think it makes it
18 double nice, even when we buy it, because
19 it's going for a good cause like the young
20 dancers and so forth. And I like the
21 respect that we all have for each other and
22 show each other as we work together. I
23 think that's the most important thing.

24 And long ago there never used to
25 be a forum for anyone to come and talk and
26 say, I want this, I want this to happen for
27 our subsistence. Now we've got it. And I
28 think we got to not take it for granted.

29 And I think it's easy to do when
30 we you're in it a long time because I just
31 now realize that long ago, we never used to
32 be able to come and talk to anybody and when
33 we did it was almost on deaf ears to
34 bureaucrats, and I just want to thank the
35 Council, it's good working with you, and
36 also the staff, and especially our
37 coordinator. I have something for you.

38 It's subsistence.
39 Customary and traditional.

40 (Laughter.)

41 (Applause.)

42 MS. WILSON: I want to say if
43 it's a Federal or State fish.

44 (Laughter.)

1 MS. WILSON: Thank you, Madam
2 Chairman and everybody.

3 MS. RUDOLPH: Madam Chair, I
4 would like to also thank everyone in Yakutat
5 for hosting this meeting. I really do
6 feel -- didn't feel like going to the
7 meeting. After I lost my mother, I kind of
8 lost everything in there. My family thought
9 it was good to see friends I've spoken
10 highly of. This might be my last meeting,
11 because I'm up to be put back in and I might
12 not make it, so it was really good to see
13 each and every one of you and really good to
14 accomplish what we did. I kind of missed
15 the last meeting with y'all. Like I said, I
16 couldn't do too much. I just got my cast
17 off last week. So I'm really glad to be
18 among friends that are so close and so
19 helpful with each other, and especially to
20 say my farewell to Fred here. He's been a
21 lot of help for all of us, kept us informed
22 on what was happening, and what we needed to
23 accomplish, and I'll be looking for seeing
24 all of you in March, and appreciate, like I
25 said, each and every one of you. I thank
the staff, Federal and State, for all the
help they have given us.

Again, I appreciate the hosting
of Yakutat for -- to have so much patience.
Thank you.

MS. GARZA: Cal?

MR. CASIPIT: I'd like to thank
the Council for their great recommendations
and their counsel and advice to me and their
encouraging for me. I appreciate working
for the Council. This is about the finest
job I ever had with the Forest Service.
This is the funnest job I ever had with the
Forest Service.

I appreciate working with the
staffs out in the field. I enjoy working
with the other agencies. I love supporting
this Council, and what I like the most is
being able to come to these communities, and
see things, how it is out here, and I come
back from these meetings invigorated and
energized to do more for rural subsistence

1 users, and implementing the spirit and
2 intent of Title VIII of ANILCA.

3 I wanted to say one more thing.

4 When I first came to this job,
5 Fred was sitting there and welcoming me with
6 open arms into the program, helped
7 immediately, educated me, and he helped me
8 do a much better job than I could have on my
9 own. There's just no way I can tell you how
10 much I appreciate Fred and all he's done for
11 me, for this Council, and for the Federal
12 program.

13 And I'm sorely going to miss him.
14 He's not one of my co-workers; he's my
15 friend. And it's going to be hard to see
16 him go.

17 I'll stop now.

18 MS. GARZA: Another cry baby in
19 the crowd.

20 MS. GARZA: Did you want to say
21 something on behalf of Marty?

22 MR. BURICK: I appreciate the
23 community of Yakutat for your support in
24 this meeting. Chairman Thomas, I really
25 appreciate your comments toward law
enforcement. Thank you.

MS. GARZA: Do you want to go
first, Fred?

MR. CLARK: No.

MS. GARZA: I also would like to
thank the community of Yakutat for welcoming
us here. This is one of the places to come
to. It feels so good to be here, in a
community where subsistence is so important,
so important that they're out subsisting now
because there seems to be catching and
harvesting and putting up. I would like to
thank the Council. We have had a tough
meeting. I've gone home with headaches and
neckaches and -- but I had twice, one from
my husband, and once from Sandi, that it
must be exciting to be creating such
important regulations, and my husband, to be
creating things of importance. It's such a

1 weight we do -- do it substantially.

2 In terms of doing it right, I
3 would like to thank the staff for providing
4 the information on the data on a timely
5 basis. It's necessary for us to have this
6 information. We do get used to snapping our
7 fingers and expecting things to be in front
8 of us, and we've generally gotten what we've
9 wanted. We do have some tough
10 communications between ADF&G and Federal
11 agencies and that's just the way it's going
12 to be, because we have different goals in
13 mind and we have to -- as Floyd said --
14 remember that our goal is subsistence.

15 I do want to let you know, Fred,
16 that I will miss you tremendously, and I
17 hope that you will keep in contact with us.
18 Thank you.

19 MR. CLARK: Thank you, Madam
20 Chair.

21 The last two days I've been
22 thinking a lot about when other people have
23 left the staff. They make their last
24 statement to the Council, and how emotional
25 some of them have been. So, you know, what
26 I've seen is that working with the Council
27 changes people. It changes people's lives.
28 You're an incredible group to work with.
29 This goes for the Council especially, but
30 also for staff. Staff, like I do, it's a
31 job, but it's much more than a job. It's
32 who we are, what we do. And it's with you
33 that we are able to do that and grow.

34 I started working with the
35 Council six years ago. It seems like just
36 the other day, and I came with a sense of
37 humility because there's so much that I
38 didn't know, new area for me, new region of
39 the State I had worked in directly. I
40 hadn't had a lot of experience with the
41 Tlingit and Tshimian. I hadn't worked with
42 a lot of people in the communities of
43 Southeast. It's apprehensive. It's through
44 your wisdom and your help to me and
45 constantly providing suggestions and ways to
46 do things that have helped me to be able to
47 do what I think is the type of job that the
48 Council needs to have done for them. It's
49 been a really perfect fit for me. And I

1 don't think I'm ever going to find anything
2 quite like it again. So I will really miss
3 that a great, great deal.

4 It's seldom that you have a time
5 in your life where things just kind of come
6 together and you feel like you're in the
7 right place and you're doing the right thing
8 for something that's important. That's what
9 I really like about working in this program,
10 working with you people, working with --
11 really fine people like Cal, and Mike Turek,
12 and all the other staff. Just a great bunch
13 of great people. Things had really just
14 come together.

15 Now, as you go forward, just
16 remember, as you already know, that what you
17 do is very important.

18 Don't lose sight of the goal.
19 Sometimes we get caught up in dotting the Is
20 and crossing the Ts and working through all
21 these details in proposals -- and we have to
22 do that, but the point is: What is the
23 effect that you're going to have on the
24 regulations that people have to use, and
25 what people can do to continue the
subistence life way.

1 I know you'll keep that up,
2 you'll continue to do a good job. And I
3 wish you the best and just want to thank you
4 from the bottom of my heart.

5 Gun nux cheesh.

6 (Applause.)

7 MS. GARZA: The meeting is
8 adjourned. I know people are going to be
9 flying for the jet. If we could help clean
10 this area up, we have to pick up all these
11 mics, clean up around here so that Yakutat
12 won't speak badly of us tomorrow and not
13 invite us back again.

14 Good meeting.

15 (Southeast Federal Subsistence
16 Regional Advisory Council adjourned at 4:55
17 p.m.)

18

19

1
2 I, Sandra M. Mierop, Certified
3 Realtime Reporter, do hereby certify that
4 the above and foregoing contains a true and
5 correct transcription of the Southeast
6 Federal Subsistence Advisory Council meeting
7 reported by me on the 19th day of October,
8 2001.

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Sandra M. Mierop, CRR, RPR, CSR

